

# HOUSING

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## SLUMS

Those among our public officials and their supporters who are advocating grandiose schemes of Slum Clearance might find it advantageous to study in some detail the efforts at slum clearance that are now being made in England—a country where there has been more done in this field than in any other country of the world and for a longer period of time. England's experience is full of valuable suggestions for those contemplating similar effort in this country.

With the housing shortage being rapidly met in England by the building of over a million houses since the Armistice, housing reformers in that country have been turning their attention more and more to the necessity of a more aggressive policy on the part of the Government in bringing about Slum Clearance.

This is due to a variety of reasons. The chief of these is undoubtedly to be found in the fact that, during the War and during that sterile period which followed it, when there were no funds with which to keep buildings in proper condition and maintain them according to ordinary standards, when laws prohibiting the raising of rents operated in such fashion that landlords were without funds with which to make ordinary repairs, there was consequently a great deterioration of property.

Furthermore, with the greater heed that is being paid these days to the voice of Labor, and the much higher standards of living demanded by all elements of the community, it is not strange that increasing attention should be given to this phase of the housing situation.

That the carrying out of a Slum Clearance policy is fraught with great difficulty has been apparent for many years past. Those difficulties have diminished in no respect at the present day.

All students of housing and of city building will find it of advantage not only to read but to study closely the masterly presentation of this subject, given by Major Harry Barnes, the distinguished British architect, and former member of Parliament and one of England's leading authorities on housing, in an address entitled "The Slum Problem"

and delivered at a meeting of the Town Planning Institute of England over a year ago.\*

Major Barnes' paper is not only a history of the problem of the slums in England but is an epitome of the whole housing question in that country and the efforts that have been made at various times to cope with it. Every student of the housing question will find it advantageous to get, in the rapid fashion that is possible by means of this paper, the milestones in the movement for better housing in England, beginning with the first conscious effort at sanitary reform with Edwin Chadwick back in 1838 and bringing the history of the movement down to the present-day efforts and policy of the Government in England in 1928. We are thus taken through a period of nearly a century of effort.

### WHAT MAKES SLUMS?

Having thus reviewed nearly a century of effort at housing reform, Major Barnes has much to say on the question of the slums and what he says contains much wisdom. He points out that, so far as what makes slums is concerned, it may be termed a vicious circle, and on this point says:

The people who concern themselves about slums belong as a rule to one or other of two schools. One sees in a slum nothing but bad buildings; the other nothing but bad tenants. They are usually successful in turning any discussion on slums into a variant of the famous discussion on the priority of the hen or the egg, with equally profitable results.

For my part I am quite prepared to admit that if a slum were cleansed, scrubbed, whitewashed and painted, with such structural repairs as are required, and tenanted by cultured people with a passion for cleanliness, it might take on a picturesqueness that would lead to its retention rather than its clearance.

Again:

Any legislation on the question today that faces the facts must recognize that there is a dual obligation, first the provision of a sanitary and adequately equipped dwelling—this rests upon the landlord; next, its maintenance in a cleanly condition—this rests upon the tenant.

Both must be enforced, that of the tenant equally with that of the landlord, and no sentimental nonsense should be allowed to relieve the one or the other of the duty properly laid on either.

A distinction can be drawn and a distinction must be drawn between insanitary conditions produced by bad design, worse construction, insufficient repair, and that produced by the destructive and dirty habits of a tenant. \* \* \*

Apart from structural conditions the main cause of the slum ancient and modern is poverty.

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\* *Journal of the Town Planning Institute*, March, 1927.



## TO CLEAR OR NOT TO CLEAR?

When it comes to the question of what is to be done with the Slums, Major Barnes, paraphrasing Hamlet's soliloquy, raises a number of interesting questions—questions that have given every person tackling this problem pause. He says: "The slum problem is a double one, it raises at one and the same time a double query. To preserve or demolish, that is the question. Whether it is better to patch and paint, or with a gang of house-breakers to end it all. To dehouse perchance to rehouse."

## WHY SLUM CLEARANCE LAGS

Some of the practical and political difficulties which arise when a slum clearance scheme is about to be carried out are pointed out. Major Barnes says:

Immediately an area is represented, all the threatened interests are aroused. All the people who manage the property, collect the rents, order the repairs, see their occupation disappear when the dwellings on which they live vanish into thin air.

Then there are the little shop-keepers whose customers are being dispersed, God knows where, many of them taking credit with them that will never be redeemed. It is one thing to sit in a snug little shop and know that though a customer has a few things "on tick," at least you know where she is and that she will be in on Saturday to pay a bit off and get a little more on. It is another thing when she is gone.

Then again it is not only your customer but your shop that is threatened. You find yourself caught in the same mesh with them. Your shop and house is an insanitary property, it, too, is scheduled. It will be pulled down, you will be turned out, not a penny for your building, not a penny for your trade, and if you are a leaseholder, perhaps two-thirds, or more of what is given goes off to the ground landlord.

Little wonder there is shouting and swearing and squealing according to temperament and taste.

The inhabitants, moreover, do not want to go, surprising, is it not? All the delights of separate dwellings, of open spaces dangle in front of them in vain. They are there. "J'y suis, J'y reste" is the motto of them all. Is it surprising? We are extraordinarily conservative, all of us, with a profound capacity for rooting. Life becomes routine amazingly soon. The corner we sit in, the bed we sleep in. Where our clothes are. The shops we buy at. The place of our pleasure. In and out like a door on its hinges. And it does not matter a pin what grade we are in. A ride in the Row or a stroll to the street corner, it is all one. A rut cut in the road of life in which, springs or no springs, the vehicle easily moves. So in court and alley, as in villa and mansion, people are content, do not want to be disturbed, have got used to it, want to be left alone. If they are moved and opportunity is given, they will squeal; and, if they squeal enough, may get some notice from the press.

So it goes, and Medical Officers representing insanitary areas may well be regarded as "asking for it."



## WHAT IS A SLUM?

One of the difficulties of the situation is the fact that what constitutes a slum seems to be viewed differently by different persons, each looking at the question from his own particular point of view.

The term "slum" is a most indefinite one, many people use it simply to describe general conditions that offend the eye. Buildings that are archaic or dilapidated or even buildings that have no architectural beauty are unhesitatingly characterized by them as slums. The great mass of buildings built by the ordinary speculative builder in many English cities, dreary in their drab monotony, but perfectly livable so far as sanitation and accommodation is concerned, are frequently characterized, not only by housing reformers in England, but increasingly by members of the Labor Party as "slums". In fact I do not think we are exaggerating when we say that the point of view of Labor has come to be that all houses built more than 25 years ago are to their mind slums, and ought to be replaced by more modern buildings.

If Government, at the expense of the taxpayer is to undertake the task of tearing down most of England and replacing it with more modern structures, because of changed standards of what constitutes comfortable accommodation, the Government may well despair of its task.

But there are such things as "slums" using the term in its well-accepted sense; and they are cancers on the body politic and should be removed. The method of treating them is very much like the only methods that are today successful in the treatment of cancer. They must be cut out with the surgeon's knife.

That slums are limited to any one country or to any one time in the world's history is not the case. They are as old as civilization, a universal phenomenon in both ancient and modern cities. They were known to Rome and Byzantium, just as they are known to Moscow and Berlin today.

In a most interesting symposium on the question of Slums published in a special "Slum number" of *Garden Cities and Town Planning* for April-May, 1927, the question is raised as to What is a Slum? and How do slums actually come into being? George H. Duckworth, C. B. F. S. A. in a paper read before the Royal Institute of British Architects two years ago raised this question. Mr. Duckworth was a colleague of the late Charles Booth, famous for his epoch-making study of the "Life and Labor of the People of London"—a man who knew more about London's slums and their lessons than perhaps any other 100 men who have considered the subject since his time.



## AN ENGLISH SLUM IS NOT AN AMERICAN ONE

Mr. Duckworth attempts to answer his own question "How do slums actually come into being?" that is, "What is a Slum?" as follows: He says:

A slum, then, is a street, court or alley which reflects the social condition of a poor, thriftless, irregularly employed and rough class of inhabitant.

Its genesis may be due as much to the landlord as to the tenant, for the landlord may have been to blame for building bad houses, in which case he cannot expect to get good tenants; or he may have been careless in his selection of new tenants, and his arrangements for rent collection and management may be indifferent.

The inhabitants are not necessarily *very* poor or necessarily bad; they are often poor through injudicious expenditure and sometimes vicious. Sometimes they are both. But they are always rough, thriftless and irregularly employed.

The outward signs are bread and litter in the streets; windows dirty, broken and patched with brown or white paper; curtains dirty and frayed and blinds half drawn and often hanging at an angle. The street doors are usually open, showing bare passages and stairways lacking balusters, while the door jambs are generally brown with dirt and rubbed shiny by the coats of the leisured class, whose habits are to lean up against them.

Strictly applying this description of slums one would say that New York City has no slums. And yet, that would be quite untrue; for New York, not only has slums, but has a greater extent of Slumdom and worse conditions of slums than any other city in the civilized globe. But New York slums take a somewhat different outward form and appearance than do the slums of London.

### AN ATTEMPT AT DEFINITION

William L. Hare, the Editor of *Garden Cities and Town Planning* tries his hand, in this same issue, at attempting to answer the question, "What is a Slum?" His definition is as follows:

A slum is one of those things which are so familiar to us that we are hardly prepared to produce a definition immediately when challenged. It is a complex of causes and effects which requires careful examination, and when so examined leads us into many byways in the social structure.

A slum has a characteristic atmosphere and acquires a physical appearance due partly to its original position and form, but largely to decay. Some districts are built as slums, some achieve slumdom, and some have slumdom thrust upon them. Every slum, therefore, has a history which, if it could be known in detail, would reveal a deeply interesting process of descent from stage to stage until it reaches its readiness for "clearance".



## TWO FACTORS IN CREATING SLUMS

Apparently all English students of this subject agree that there are two main factors in the creation of Slums—the landlord and the tenant. Mr. Hare certainly holds that view, for he says:

Two groups of persons are concerned in the making and maintenance of a slum—the landlord and the tenant. The former may be divided into two classes: (1) those who can but who do not keep their houses in proper repair; and (2) those who cannot afford to do so. \* \* \*

But it is not only the proprietor's neglect that makes a street a slum; the tenants do their part. From a variety of reasons, traceable to their culture and heredity, they have lost all or nearly all the house-pride which is the essential element in good domestic life. Their daily work outside their homes, is hard and dirty; their surroundings are dirty; their clothing, their persons and furniture are dirty, and they let themselves and their homes go imperceptibly, step by step, nearer to slumdom. No general statement can be made in regard to this element of slumification contributed by the tenants, except that it has to be admitted. Many manfully resist its influence for a generation, and the clean doorsteps, window sills and window boxes, to say nothing of interior cosiness and neatness of some houses in slum districts, go to prove that aesthetic taste is a fact to be reckoned with.

Mr. Hare then proceeds to classify the different kinds of slums, quoting Charles Booth quite extensively and describing not only slums that are very poor, but middle-class slums and slum tenements as well.

We regret that lack of space does not permit our quoting more fully from this interesting discussion of the subject. Every student of the problem will find it desirable to consult this document at first hand. In addition to these two papers which we have quoted from, there are others that contain in tabular form statistical statements showing the reports of insanitary houses by the Medical Officers of Health of the various local authorities throughout England for the 5-year period beginning in 1920 and ending in 1924, with the number of demolition schemes ordered and carried out in that time.

It also contains an article on the slum problem by E. D. Simon, ex-Lord Mayor of Manchester and formerly Chairman of the Manchester Housing Committee, describing the experiences of his city in dealing with this problem; extracts from Major Barnes' paper on the Slum problem that we have already referred to; a discussion of Scotland's slums as found in the rather modern city of Glasgow by Peter Fyfe, late Director of Housing in that city and one of the leading housing experts of that country, who discusses the relation of slums to disease and to the cost of sickness; while Captain R. L. Reiss states the law as to Unfit Houses and Slum Areas, and a further article de-



scribes the slum clearance schemes that have been carried out in the city of Bristol.

### THE PROCESS OF "SLUMIFICATION"

How slums come into being is very aptly expressed in an editorial in *Garden Cities and Town Planning* for August-September, 1927. Discussing the proposed Slum Clearance scheme in Somers Town, one of the most recent districts in London that the London County Council is proposing to clear, and in which it is proposing to erect rather high block-dwellings, it says:

The deadly process of slumification, by which a once "eligible site" becomes an "unhealthy area", is well known in all its details. It is exhibited in perfection in Somers Town, as elsewhere in London, and our large cities. Research would enable responsibility to be placed upon the shoulders of those who should bear it—the lords and landlords who parted with their estates to speculative builders; who, in their turn, like locusts, ate up the land and flew off elsewhere; the absentee purchasers of blocks, and their rent collectors; the industrialists who penetrated the vacant spots; the local authorities, who sought more rateable value; the shopkeepers, who commercialised residential streets—all must bear a share.

There is, however, an invisible though potent factor in slumification, provided by the system of land tenure, which prevents change until it is too late; and of land values which fall and rise according to economic forces operating upon the site. Another, is the poverty of the tenants who cannot pay rents sufficient to enable the owners to maintain the property in good repair.

### WHAT LIFE IN THE SLUMS MEANS

#### LACK OF PRIVACY

A striking argument in support of a slum clearance policy on the part of the local authorities of England was advanced at the Conference of the National Housing and Town Planning Council held last November at Harrogate, by Alderman Miles E. Mitchell, ex-Lord Mayor of Manchester and Deputy Chairman of that city's housing committee.

On that occasion Mr. Mitchell, taking some points from Manchester's experience as a striking example of the influence of design and accommodation of houses on family life, mentioned the conditions under which childbirth takes place in small houses, and quoted recent investigations by the Medical Officer of Health of the city of Manchester into 1,000 recent confinements in 18 districts of that city. This investigation showed that in 594 cases, or 59.4%, the houses were occupied by 1 family only; the remaining 406 houses, or 40.6%, were occupied by 2

or more families and all these houses had children in them. In the 594 single-family houses there were 3,401 occupants, of whom 1,662 were children; and, on a basis of  $2\frac{1}{2}$  persons per bedroom, 24.4% of these were deemed to be "overcrowded".

The striking result of this inquiry, however, was the shocking revelation of the conditions which prevail with regard to lack of privacy during the confinement of a mother in these single-family houses. In only 46% of the 594 cases was a separate bedroom available; and of the remaining 321 families, where privacy was quite impossible, at least 609 other persons occupied the room in which the confinement took place, or alternatively had to be accommodated among the remaining members or elsewhere, generally increasing the existing overcrowded conditions.

In 12 cases, 4 other persons occupied the same room with the woman who was being confined; in one case 5 other persons occupied the same room; in another case 6 other persons occupied the same room, and in still another case 8 other persons occupied the same room.

Out of 406 confinements that took place in these 406 houses, in only 11 was it possible to set apart a separate room for the event. In the 395 other cases, 703 persons other than the mother and nurse were either compelled to use the same room or were forced to seek accommodations elsewhere.

These facts disclosed in Manchester throw a new light on the horrors of life in the slums and the adverse social conditions which overcrowded living brings.

### SCOTLAND IS ACTIVE

That Scotland is aroused to the necessity of action is shown in statements made recently by J. Gordon Dow, Joint Town Clerk of Anstruther and Crail, Scotland, to the effect that 38 local authorities have proceeded or are proceeding with schemes for the improvement of insanitary areas, with the assistance of the 50% Slum Clearance grant made by the Government. The number of houses proposed to be closed or otherwise dealt with under these schemes is approximately 12,330; 11,750 new houses are being provided to accommodate the people thus displaced. These figures relate solely to those schemes where the Government shares the cost of the clearance with the local authorities on a 50-50 basis and do not include other schemes where there has not been this Government share in the cost, and which are thought to be considerable in number.



## IN GLASGOW TOO

That slum dwellers respond to an improved environment is borne out by similar experiments carried on in the city of Glasgow by the Public Health Department of that city, where a trained nurse was appointed to work among the tenants who had moved from a slum area to new tenements in the northwest and eastern parts of the city at some distance from their old haunts.

Careful observation of conditions through a considerable period in the new homes, backed up by careful investigation, showed that only about 10% of the persons thus rehoused failed to make good.

There is no doubt but that the method thus employed by the Glasgow authorities is a highly desirable one. Tenants who have gotten into bad habits of living, who have become discouraged, who have slumped in a host of ways, need encouragement, advice and sympathetic guidance in that transition period from their old slum dwellings to the very different environment which they encounter in the new and improved habitations.

### MUST SLUM CLEARANCE BE ENTIRELY BY MUNICIPAL EFFORT?

Heretofore, most of the persons interested in housing reform in England have looked to Government and the local authorities as the sole agencies through which slum clearance can be carried out.

A totally different note is sounded by so expert an observer and student of the subject as B. S. Townroe in a thoughtful and considered article on the Slum Problem in the *Edinburgh Review* for January.

Asking the question "How Can we Sweep Away our Slums?" Mr. Townroe points out that they cannot be cleared by heroic speeches made on the platform or even by the expenditure of £85,000,000 hypothetically to be derived from a Socialist surtax.

Mr. Townroe very pointedly says "nor will money alone abolish the tenant with a slum mind", and goes on to say that, even if the whole of the proceeds of this colossal sum was devoted to slum clearance, we should not be nearer a permanent solution unless all the tenants of the new houses built to replace the old slums were inspired by a spirit of cleanliness and a care for public property. In support of this statement he points out that "the Glasgow Corporation are suffering so seriously from destructive tenants that they have had to employ special officials to safeguard their property; for the experience of the last



two years has proved that new buildings can quickly be reduced to squalor by Glasgow citizens with the 'slum mind'".

How great a factor this is in the problem is evidenced by a remark of an editorial writer in a recent issue of the *Architects' Journal*, who, discussing this question of the tenant with the "slum mind", states that 25 years ago, John Mann, Jr., for many years a housing expert of the city of Glasgow, in recommendations that he made at that time to the Municipal Commission for the Housing of the Poor pointed out that the real crux of the problem was the disreputable habits of the tenant, and advocated that a few experimental blocks of city homes should be erected.

#### "SOCIAL QUARANTINE" STATIONS ADVOCATED

These were to act as receptacles for the thriftless residuum who would be displaced by slum clearances. He suggested at that time the erection of a structure which should be severely plain, easily scoured, hosed, fumigated, and disinfected with a minimum of fittings and a maximum of strength. He advocated that no couples without children should be admitted, as the existence of children was a sufficient indication of an attempt at least towards family life. In a word, what he suggested was a sort of "social quarantine".

That was 25 years ago. Apparently the need is just as great today; for this editorial writer states that a well known member of the R. I. B. A. had that very week told him of a tour that he had made around some of the new houses in Glasgow where he found that the bath-tubs were being used as sanitary conveniences by the rough Irish tenants moved from the slums.

#### HOW THE TENANTS ABUSE MUNICIPAL HOUSES

Mr. Townroe cites another instance of tenants with anti-social tendencies in an incident that occurred recently at the municipal flats at South End Close at Hampstead—a group of buildings, by the way, on which there is a loss falling on the public funds of over a pound a week on each flat; in other words, where the taxpayers are called upon to pay this amount in subsidy because of the assumed "inability" of the tenant to pay an economic rent. Mr. Townroe says that certain tenants in these flats are known to have turned on the electric light before they go away for the week-end and left it burning for two days and nights. When this was called to their attention, they stated that they were within their rights in so doing, that they were charged a flat



rate of so much per week and they were therefore determined to utilize all the current they could for the money they paid. One old lady when criticized for this extravagance justified herself by saying that she was coming back late on a Monday night and didn't wish to have to enter into an unlighted hall! And these incidents occurred not with slum dwellers, but with people who were evidently able to afford a week-end outing. It is a striking object lesson of the kind of difficulties one gets into, when once Government embarks upon the doubtful experiment of subsidized housing.

### HOW VAST ARE THE SLUMS

We have already pointed out the difficulty of determining what is a slum, and in addition to that inherent difficulty, there is an even greater difficulty in determining the extent of the slum areas—in other words, how vast a problem confronts the Government if it once attempts to deal with the so-called slums? According to an official survey made in 1919 for the Ministry of Health there were outside of London at that time 96,000 houses which could not be made sanitary and 203,978 houses which at the time were deemed to be unfit for habitation but which could by reconstruction and alteration be made sanitary. According to a census made two years later, in 1921, there were in that year over 317,000 families in England and Wales, each family occupying a single room. There are no more recent statistics available and that is why these are cited.

When it comes to the question of "back-to-back" houses—rightly considered in England among their worst type of dwellings, but not bad compared to the New York "dumb-bell" type, or even compared with some of the older types in New York—no exact statistics can be furnished. Mr. Townroe estimates that in Leeds there are over 72,000 "back-to-back" houses out of a total of 112,000; in Birmingham 44,000; in Bradford 33,000; in Sheffield 6,000. He adds that:

These houses survive in spite of the fact that 40 years ago the Local Government Board received a report stating that such accommodation was bad for health and that the mortality from all causes in such houses was higher by 15 to 20% than in houses where there was through ventilation."

### WHAT THE PRIVATE OWNER HAS DONE

Notwithstanding the difficulties, Mr. Townroe rightly says that in the course of the last 8 years a great deal has been accomplished in the way of housing betterment in Great Britain—more indeed than in any other country in the world.



Mr. Townroe states that by friendly agreement with property owners over a half a million houses (500,000) have been made fit in England and Wales, up to the standard enforced by local medical officers of health. He goes on to say that "It is fantastic to press for the sweeping away of slum dwellings, unless there is alternative accommodation available for the displaced tenants."

He adds that there are a considerable number of working-class houses, vaguely called "slum property", that have been and are being made habitable, not at the expense of public funds by private enterprise alone. In some cases this work is being carried out by voluntary Societies, while in other instances enlightened landlords are reconstructing poor property and providing healthy and pleasant homes. They find that their enterprise in thus repairing working class property pays, provided as Mr. Townroe puts it 3 fundamental conditions are observed:

First, the property taken over must be structurally sound. Secondly, the management must be efficient; Thirdly, there must be a sufficient number of houses under control in order that overhead charges may be kept at a low level.

#### WHAT ONE LANDLORD DID

Mr. Townroe cites a case in South London where many tenements and houses were taken over when they had almost degenerated into bad slums. The purchasers of this property immediately proceeded to install dressers, cupboards, pantries, sinks and running water to replace cracked plaster, broken banisters and stairs, to mend broken windows, to repaint and to repaper. The extent of this work may be gauged from the following figures on one London estate, where in the last 18 months 3,000 rooms are being repapered with 18,000 rolls of paper and a quarter of a million panes of glass have been supplied. Mr. Townroe adds:

In this particular case the yards of the tenements, when they were taken over by an enterprising landlord, were deep in refuse, for it was the custom of the tenants to throw all such rubbish as potato peelings and egg shells out of the nearest window. One of the first steps taken by the new management was to clean the yards, and to adjure the tenants by letters and by personal calls to do their best to keep the place clean. After a good deal of trouble they learned to dispatch their refuse down the shoots that were provided for the purpose, instead of fouling the yards. As the number of caretakers could be reduced in consequence, the tenants were informed that they would reap the benefit of the cleanliness by a reduction of the rent. This good news quickly spread and there has since been a marked improvement on the other estates.



Mr. Townroe very aptly says "This is but one example out of many that could be quoted to show how skilful management can transform property that was becoming a slum." He adds:

Enquiries from local Medical Officers of Health have confirmed my view, made after personal visits, that the particular blocks of property now in private hands are better managed than some of those administered by public authorities and philanthropic companies. But the fundamental cause of the success of this particular form of private enterprise is that *there is a permanent and highly-trained repair staff always at work.*

We regret that lack of space here does not permit us to quote more fully from this instructive discussion of the slum problem. We commend consideration of it in detail to all our readers.

#### THE POLITICAL DANGERS OF GOVERNMENT-AIDED HOUSING

One aspect of the situation, however, which Mr. Townroe deals with should be pointed out. Discussing the taking over of slum property by local authorities, he says:

Even more serious than the financial risk is the danger that a local council may be tempted to conciliate the tenants of poor property by bribes in the form of lower rents and added amenities in order to capture votes. Imagine an East End council becoming the owners of hundreds of acres of poor property near the London docks! We should expect scandals such as those that have been revealed recently in the administration of relief under the poor law. Already the menace of corruption is evident in the north of England, where tenants of new municipal houses, all living in one district, have been organizing so as to vote in combination for those municipal candidates who advocate a decrease of rents.

Mr. Townroe does well to remind us of some of the things which Octavia Hill discovered over 50 years ago, and which all persons experienced in social work or who have an intimate knowledge of the housing question, have had to learn, almost at their first advent into this intricate and complicated field of human endeavor.

#### SLUM CLEARANCE IN MANCHESTER

We are so accustomed to considering Slum Clearance with regard to London because of the magnitude of its problems and the fact that London has done more in this field than any other city in Europe, if not in the world, that we are perhaps in danger of overlooking the rather remarkable accomplishments of other great English cities in this field.

This is notably the case with regard to Manchester. That city under laws passed as far back as 1867 has been dealing with its slums and has since that time dealt with 27,500 of the worst houses in the city certified by the local health authorities as insanitary.

In remedying these conditions Manchester has not in every case resorted to complete clearance schemes. The procedure used has been to serve a "notice to close" on the owners of houses certified by the health authorities as insanitary, and the owner has been ordered to appear before the Public Health Committee of the City Council, with whom final power rests, and show cause why a closing order should not be made, at the same time giving him the opportunity of submitting for the Committee's consideration an alternative scheme of alteration.

In this way about 27,500 of the worst houses in the city have been dealt with. Nine thousand (9,000) "back-to-back" houses have been converted into "through" houses with separate yards and water closets. Rear projections have been cut down to admit light and air, while, here and there, houses have been cleared away to provide open spaces. More than 7,000 houses have been entirely demolished and many others have been cleared voluntarily to make room for business premises. That ancient abomination the privy vault or midden-sink has been dealt with by converting these antiquated and objectionable so-called "sanitary" arrangements into modern water closets.

Although this work may be regarded more or less as patchwork, it has produced excellent results as reflected in the reports of improved health conditions made by the medical officers' help. Particularly satisfactory has been the change in the infantile death rate brought about by these means.

The interesting feature of this work has been that all of this has been done at the expense of the property owner and not the taxpayer. In other words the policy of making the owner of slum property clean up his property and put it in proper condition and keep it in repair was found to yield satisfactory results and at the same time has not involved the expenditure of such vast sums as to make dealing with the situation impractical.

This policy of reconstruction was continued until the outbreak of the War but since that time has been virtually suspended. Since 1919 an effort has been made to resume operations along these lines, but owing to the Rent Control laws and the housing shortage it has not been possible until very recently to do much in this direction.

In clearing one area known as the Medlock Street area, which consisted of 4.37 acres on which there were 199 houses containing 849



people, some interesting problems have arisen and some interesting experiences have been had which have value for other communities. One of these is found in the fact that although there is a strong belief, especially among local officials, that tenants who are dispossessed by a housing clearance scheme must be rehoused on the same site, or near it, yet, the experience of the Manchester authorities would seem to indicate that too much consideration has been given to this in the past.

For, the tenants dispossessed from the Medlock Street area were transplanted bodily to a new housing scheme of the city about two miles distant. Of the 199 tenants concerned, 140 families availed themselves of the opportunity of moving into the cottage flats on this estate. Of these 140 families who moved to this new estate on the outskirts of the city, 67 subsequently left their new abodes of their own accord, and 13 families were served with notices to quit as undesirable. After 3 years, there remained on this estate in a different part of the city, 68 families who were paying their rent regularly and few of which were distinguishable from the general population.

The municipal authorities rightly recognize this as convincing proof of the fact that even slum dwellers will respond to an improved environment, or at least a certain element of slum dwellers will thus respond.

### SLUM CLEARANCE IN PRACTICE

Those who have been so blithely discussing the adoption of Slum Clearance in New York City—we will not say a Slum Clearance *policy*, for no such policy has as yet emerged—might well give heed to the practical questions that confront those undertaking this task in a country where slum clearance has been practiced now for nearly a hundred years.

England is the one country where slum clearance schemes have been carried out through a long period of time and on a large scale, and its experience, therefore, is of the greatest value, not only for America but for all countries.

We commend, therefore, to the attention of the city authorities in New York—who are so debonairly talking of razing vast stretches of New York's "slums" and building on their sites 11-story "model tenements" a Memorandum on this subject, issued by the National Housing and Town Planning Council of England, under the authority of its Chairman and Secretary, Frank M. Elgood, and John G. Martin, preparatory to a large conference held in London a few months ago, largely attended by public officials from all parts of England and at which this question of Slum Clearance was discussed.

## NO TALL TENEMENTS IN ENGLAND

Discussing the question of re-housing the population which will be displaced from the slum sites and the proposals which have been made in some parts of the country to build high block-dwellings—a proposal limited to 5 and 6-story dwellings—11-story dwellings not only could not be thought of in England, but would be so impossible that they would not even be discussed—Mr. Elgood and Mr. Martin say:

It is probable that this vexed question of re-housing is equally difficult in many of the larger cities and boroughs throughout the country, and there are some who suggest the erection of high blocks of tenements as the most efficacious remedy. The National Housing Council is not prepared to give any support for such a form of housing. It surely does not cause less congestion to house families vertically than to crowd them horizontally.

Asking then what is to be done and how the displaced population is to be housed they suggest after long and careful study of the whole problem that the solution will be ultimately found by the decentralization of industry and the distribution of the population thus displaced into Garden Cities or Satellite Towns.

How important it is that Slum Clearance schemes shall be related to the City Plan—one of the criticisms of New York's abortive effort in this direction has been that the scheme proposed had no relation to the City Plan—they point out. They say:

Not only in London and its vast suburbs, but also in other large industrial districts, it is becoming more and more essential to realise that the use of land for industry, commerce and housing must always be considered in conjunction with the closely related problem of transport on the basis of a comprehensive plan. Failing this, it is certain that we shall continue to muddle on with spasmodic and piecemeal improvements which not infrequently create fresh problems to be dealt with at some future date.

## THE DIFFICULT QUESTION OF RENT

Bearing in mind that in England when slum clearance schemes are carried out it is necessary to re-house the displaced population on the same site or in new dwellings that are considered "suitable alternative accommodations" for the occupants thus displaced, it is interesting to find the subject of what rent shall be charged for the new accommodation very much to the fore.

For this is a most difficult question. Shall higher rents be charged for the new accommodations? They are certainly worth it; but can the people—the lowest paid element of the community, displaced from their slums for which they paid comparatively little—pay an adequate rent for these new houses? Not an economic rent by any means; for it should be clearly borne in mind that all these schemes are largely subsidized by the Government.



On this point the National Housing and Town Planning Council say:

It is a subject of controversy as to whether the rents charged for houses built in connection with a clearance scheme should, although having similar accommodation, be less than those charged for other council houses. Generally speaking the tenants to be re-housed are of a poorer class than those who usually occupy council houses, and can ill afford to pay a higher rent.

It is admittedly somewhat difficult for local authorities to charge varying rents for similar accommodation to different classes of tenants. For this reason some local authorities are building houses with less accommodation and fewer amenities which they offer to tenants whose incomes are very small. The loss on such houses is invariably greater than the loss on the usual type of house.

### TO REHOUSE ON THE SAME SITE OR TO DISPERSE?

With regard to the very difficult question of attempting to rehouse on the same site the majority of the persons who have been displaced by the slum clearance scheme, the Council's Memorandum says:

All the information which the Council has received shows that the re-housing of the present tenants in slum areas is usually attended with some difficulty. \* \* \*

In a few cases it has been found possible to re-house on the same site the majority, if not all, of those dispossessed. This has generally to be accomplished by what may be called the "turn-over", or "decanting" system, i.e. a re-shuffle of the tenants so that different portions of the area can be dealt with in turn. In many cases, however, a special site is acquired for the purposes of the particular scheme. This site may be part of a municipal housing estate, but even so, it is usually a specific part of the estate and the new houses built are earmarked for the tenants from the condemned area. Although the new houses are not always near the old, it appears that the tenants are not infrequently quite willing to remove to a distance.

When *ad hoc* sites for slum dwellers are provided, there is undoubtedly some tendency for the tenants to re-create the old slum conditions in their new surroundings. It is believed, however, that in many cases the careful management and discreet supervision of local authorities have done much to minimise the risk. It is beyond dispute that there are usually good results when the management of property of this type is placed in the care of skilled women rent-collectors trained in the methods of the late Miss Octavia Hill.

In those cases where the slum dwellers do not go to the new houses, it is sometimes arranged that the improved accommodations is taken up by tenants of other old houses outside the condemned area, and the houses which they vacate are in turn occupied by the families dislodged from the slum area.

### PAYING FOR THE PROPERTY

#### "PINK", "BLUE" AND "PURPLE" AREAS

One aspect of the question which has a strange sound for America is the discussion of "pink" and "blue" areas and the suggestion that there should be a new, or "purple", area. For the benefit of our readers who are not familiar with the details of slum clearance practice, it may perhaps not be inappropriate to point out that, before a site can be taken in a slum clearance scheme in England, the health authorities have to file maps declaring that the section is an insanitary area and that the public interests require that it shall be cleared.

One of the first steps to the clearance of such a scheme is the filing of such maps. On these maps the particular property which in the opinion of the health authorities, is so insanitary that it should be demolished, is colored pink. Neighboring properties which the authorities desire to take in order to have a well rounded scheme and to have property in such a shape available that they can do something with it, is colored "blue", as indicative of property necessary to be taken to complete the scheme but which is not in itself actually so insanitary that it should be destroyed.

In all sum clearance schemes it seems that bitter controversies range around the question of "pink" or "blue"; and owners of property, it is stated, frequently feel aggrieved because their land had been colored "pink" in a scheme, while owners of worse buildings in a neighboring town may have been fortunate enough to have their property colored "blue".

One of the important elements in this question of whether the property is insanitary or not, that is whether it is "pink" or "blue", is the amount of compensation that is to be paid to the property owner by the authorities. For, if the property is colored "pink", and rightly so, and is so insanitary that it should be destroyed, the property owner will, in that case, receive only the site value of his property and will receive no payment whatever for the buildings on such site. Whereas the owner of property that is colored "blue", is paid on a totally different basis; and receives not only the value of the land but the value of the buildings as well.

Discussing this question and the difficulties that are involved in it, the National Housing and Town Planning Council state that in their judgment there is little doubt that cases of real hardship do occasionally occur and they suggest that it might be more equitable to have an intermediate rate of compensation for buildings that might be colored "purple" on the map. In other words those which are half "pink" and half "blue" in character and share the characteristics of each class of property. They add this would not increase, in all probability, the total compensation to be paid.

How important this suggestion is, becomes evident, when it is recalled that, with regard to property which is insanitary and dangerous to health by reason of its environment and relation to other property, a Parliamentary Committee on Unhealthy Areas expressed the view that it was equitable to regard all buildings in an unhealthy area as depreciated in value—even when they might in themselves be unexceptionable.



From all of which it appears that the process of slum clearance when carried out in orderly and rational fashion is not without its difficulties. We commend this document to the attention of the New York City authorities.

## ARE GARDEN CITIES A BOURGEOIS PARADISE?

### HOW LABOR VIEWS THEM

There have been many criticisms of the Garden City movement since it was first launched 23 years ago by Sir Ebenezer Howard. The scheme has been said to be utterly impractical and visionary. It has been charged that such enterprises do not pay and never can pay, that at best they cannot be anything more than suburbs and that a real Garden City can never be achieved, that they are the home of a dilettante class who dress in freak costumes and live in "arty" houses.

The latest and most novel criticism of the Garden City movement has come from organized labor, speaking through the lips of George Hicks, the able and intelligent Secretary of the Amalgamated Union of Building Trade Workers.

At the annual meeting of the Garden City and Town Planning Association in London last February, Mr. Hicks astonished his hearers by suggesting that Garden Cities were "a practical ideal of bourgeois villadom". On this occasion, Mr. Hicks said in part:

Watching the progress of Garden Cities—places like Letchworth and Welwyn, and the growth of suburbs like Golders Green (Hampstead Garden Suburb—Editor) has, I must admit, filled me with considerable concern. I may be wrong, but I seem to detect in this movement towards Garden Cities, not so much a movement of the people, as a movement of a certain class of people—a certain section of the middle class. Garden Cities are becoming, as it were, a practical ideal of bourgeois villadom; a rest haven or happy valley of the higher-paid strata of workers, professional workers, civil servants, and so on. And away back, amidst the smoke and dirt, the great congested centers, where the people teem in their millions, carry on as usual, unaffected by this middle-class migration. \* \* \*

It is as a workman, one belonging to the working class, and as a workman in the building industry, that I am interested in the housing problem and the problems of town planning and organisation. I believe that all human beings have the same fundamental rights to a full and joyous life and an adequate and proper share in the good things of life. Fresh air, sunshine, the land, the trees and flowers, the wide open spaces, I hold to be the inalienable possession of all, and should not be the monopoly of any group, section, or class. Whatever legal ratifications such a class or group possessing the monopoly may have, to me it will be shameful robbery, nevertheless. And so, I am confident, will it be to all who give the matter unbiased thought.

## WHAT OF THE SLUMS?

Let me illustrate what I mean. During the past few years I have spoken scores of times on the housing problem, and I have never missed an opportunity of referring to the fact that there are over 20,000 homeless people in London, and that there are over 3,000,000 persons in this country living in disease-ridden, fever-stricken slums. I give order of preference to the statement of those facts, because I am certain that the best method of eliminating the evils consequent on our present housing conditions is to tackle its worst sides first. If we take the homeless people and provide them with houses a step forward will have been made from the very bottom. Then, in order, we should deal with the worst of the slum areas, the slums in general, the congested districts, the outwardly respectable districts where overcrowding is rampant, and so on.

I am not in favour of establishing little town paradises, while the most hideous aspects of life in our big industrial centres remain untouched, and thousands are compelled to dwell in black and squalid regions of misery and desolation. I want these little town paradises to arise as a direct consequence of our dealing with the worst conditions in the big towns and in the rural districts. I am not specially interested in Garden Cities as a close preserve of certain classes of people. My interest in Garden Cities and all connected with town planning and the application of modern knowledge and the best means and methods of town organization, lies in the extent to which they will lead to a radical transformation of the living conditions of the whole people, and working people in particular, and improve and beautify our communal life generally. \* \* \*

What is the problem before us? It is to erect the city—sane, efficient, and beautiful—in this country. We do not want a lot of little Garden Cities tucked away in the country districts, and the big ugly messes which we call towns and cities to continue as they are. We want to transform the towns of the whole country: to clear away the slums, to eliminate the squalor, filth, and ugliness, and to make every one of them sane, efficient, and beautiful. And then, if need be, build new towns as a consequence of this work of transformation. I see no reason why an industrial centre, just because it is an industrial centre, should be squalid and dirty, engulfed in an all-prevailing wretchedness. I see no reason why a port, with its busy docks, should have along the dockside the grimy alleys and noisome and murky purlieus which are prevalent in all the great ports of the country. I see no reason why mining villages should not be like Letchworth and Welwyn. All my reasons are to the contrary. I see every reason why we should, by a mighty national effort, clear away all this dirt and filth, squalor and wretchedness in which ill-health is germinated and made to spread, and millions of our people made to become diseased in mind and body. It is so obviously to the national good that this should be done, from every standpoint: from the standpoint of our health, happiness, and well-being; from the standpoint of our efficiency as a nation; from the standpoint of our future as a race.

How to do it? That is the question. And that question, as I have stated, is mainly focussed upon economic conditions. The answer is to be largely found in a thorough examination of those economic conditions.



## PEOPLE MUST LIVE NEAR THEIR WORK

People say: Here is London. Parts of London, like areas in the East end, or Bermondsey, or Rotherhithe, are simply appalling. Why not build Garden Cities along the Thames Valley or in Surrey or Kent, and disperse London's congested population amongst them? On the surface it appears so simple. But in reality it is a tremendously tangled problem. One has only got to think of an average London working-class family—a family with grown-up sons and daughters—to obtain some idea of how involved that problem really is. The father may be working in a factory in Silvertown, one son may be working in a printing office by Fleet Street, another at an engineering works in Woolwich; one daughter may be working in a City office, another in a laundry or a dressmaker's nearby. In a basic, economic sense that family has struck deep roots in London as London. They are irrevocably tied to London by the circumstances of their employment. They must live, and they can only live by being employed.

I believe that it is a basic mistake to try to divorce industry from towns, and to endeavour to establish residential towns apart from industrial centres. Industry is a necessary condition of our modern life, and it is essential that we should dwell within reasonable distance of the places where we work. The nearer the better, because of the waste of time and energy, and the cost of travelling backwards and forwards.

The best line of approach to that matter is to make our workshops and factories, mills, and engineering plants as clean, wholesome, spacious, and beautiful as we can. I am one of those who, from out of my knowledge of the building industry, can assert that we can build factories and workshops to be as wholesome and attractive as ever any of the mediaeval craftsmen built churches and temples. There is no reason why industry should necessarily be associated with dirt and ugliness. I am confident we could even build beautiful factory chimneys, if our architects would devote some little attention to the aesthetic possibilities.

## DECENTRALISATION OF INDUSTRY URGED

To decentralise the population of the big towns and spread them more equitably over the country, the decentralisation of industry is a fundamental necessity. Our tremendously increased and vastly improved methods of transport facilitate this to a much greater extent than formerly. An examination of the multitudinous industries carried on in London, for instance, would, no doubt, show quite a number that could be carried on elsewhere—as, say, biscuit making at Reading, or lace making at Nottingham—if extra means of transport and distribution were provided. It should be the settled policy of the national authorities to stimulate the setting up of modern factories and workshops away from the big towns and to establish means of transport between them and the chief distributive centres. Where factories and workshops are set up, where industries are set going, the people will naturally follow. They serve as magnets to the population. War experience of places like Gretna Green proved this indisputably.

The only hope for the future of Garden Cities, and our town life generally, is the decentralisation of industry.

That Mr. Hicks has completely failed to grasp the meaning of the Garden City movement as a movement for the decentralization of industry and has confused Garden Cities with Garden Suburbs, is quite evident from his own remarks. This was very strikingly pointed out by Norman MacFadyen, a dweller at Letchworth and Health Officer for the Letchworth District.

#### 80% OF LETCHWORTH'S POPULATION WORK IN ITS FACTORIES

Mr. MacFadyen upon this occasion, and following it up afterwards with communications to the press, pointed out that Letchworth started out to be an industrial town on a new model and that is exactly what it is today, that Letchworth was founded as a movement to decentralize industry and to make it possible for workers to both work and live under conditions of life which would be better and healthier for the worker than the conditions which prevail in most industrial communities. He calls attention to the fact that in Letchworth 80% of the population works in its factories and that there are today over 60 factories and workshops in that town, whose products are known all over the world. These factories are both large and small, turning out a very great variety of articles and employing about 5,000 people. More than 1,000 of these workers came from outside the town. There is work for men and women, boys and girls and the conditions of work are good. Although last year there has been unemployment in the town, the amount of employment has been surprisingly regular. Mr. MacFadyen adds that most of the manufacturers in Letchworth have prospered and some of them have grown continuously from the beginning. Many of them, he adds, have added to their factories during the last few years.

The progress of Letchworth, notwithstanding the disturbing effects of the War is really remarkable. The condition of the town today industrially is a very healthy one and the community is capable of quick expansion, a condition which manufacturers throughout England are beginning to recognize as they appreciate more and more the value of a well thought out industrial development.

The population of Letchworth today is 14,000 persons. A few retired people live in the town, a few others go to their work in London, but the great majority both live and work in Letchworth itself and most of these are workers who have come out of the big towns and adjusted themselves to the new conditions and now have no wish to live anywhere else.



Mr. MacFadyen rightly pointed out that the people in Letchworth have to earn their daily bread and have no time for fads and fancies. They are real advocates of the Garden City movement for the working people.

#### LETCHWORTH A HIVE OF INDUSTRY

As evidence of the remarkable industrial development of Letchworth and that it is fulfilling the ideas of its founder the late Sir Ebenezer Howard in being a self-contained community, in which the industries of that community support the people who live there, is evidenced by the extraordinary list of principal factories at Letchworth furnished by Mr. MacFadyen. These include such different industries, among others, as the following:

Printers and publishers, motor car manufacturers, metallic tubing, door hinges, filing cabinets, radio works, electrical tabulating machines, scientific instrument makers, paper bag manufacturers, chemical works, book binders and printers, paper and glass sensitizing machinery, hydraulic presses, engineering works, metal workers in sheet metal, copper, brass, aluminum and iron, hot water heaters, ventilators, electric light and power station, gas works, manufacturers of thermometers and other scientific instruments, pattern makers, organ builders, knitted goods, iron foundries, vacuum brakes, castings, drop forgings, India rubber articles, embroidery and lace manufacturers, silk fabrics, parachute makers, manufacturers of photographic plates and papers, steel foundries, manufacturers of lenses, brass and gun metal castings, manufacturers of agricultural implements, baby carriages, manufacturers of cabinet work and trim, asphalt roofing materials, launderers, dyers and cleaners, corsets and numerous others.

That Letchworth is fulfilling the idea of its founder there can be little doubt. We commend to Mr. Hicks a more intensive study of the Garden City movement.

#### GOOD TASTE, GOOD STANDARDS, GOOD HOUSING

##### THE ENGLISH HOUSING MANUAL

The Ministry of Health has rendered a public service, not only to its own people in England but to students of housing and town planning the world over, in issuing recently a "Housing Manual on the Design, Construction and Repair of Dwellings". A similar manual was issued under the Addison regime when the Government was exercising rather close control over the building of houses in England. At that time, all plans carried out by the local authorities had to be approved in every important respect by the central Government, and it was natural therefore that such a Manual should be issued, so as to guide and aid the local authorities in undertaking this important work.

When centralized control became irksome and it was decided to leave the responsibility largely to the local authorities, that control

over architectural standards and good planning, to a large extent, disappeared—much to the regret of all persons interested in better housing conditions in that country.

While there has been no change in the Government control of the housing schemes since the Acts of 1923 and 1924, the issuance of this new Housing Manual is most timely, for there is much complaint throughout England as to the spoiling of the country side by the building of so many unattractive and badly planned houses by the speculative builder under private enterprise, aided by Government subsidy in some form or another.

The occasion for the issuance of the new Housing Manual is undoubtedly found in the fact that an important part of the present Government Housing Programme contemplates the reconditioning of existing cottages, especially in the rural districts, and it is largely to aid local authorities, and employers of labor and private interests in the proper reconditioning of existing houses that the Manual is now issued.

Irrespective of this immediate need for it, it would have served a very useful purpose if it had been issued several years ago; and would undoubtedly have saved the countryside from some of the architectural atrocities that are now regrettably to be seen in all parts of England.

The present Manual, like its predecessor, is a very clear and intelligent statement of the housing standards which should govern in the building of small houses.

The Manual, a 40-page pamphlet, discusses the questions involved in a text of 107 different paragraphs. It also contains a series of half tone illustrations of elevations of houses of various types, both good and bad, "horrible examples" of what to avoid, and good examples of what to follow. In addition, there are a series of floor plans showing the layout of different types of houses and in addition to these a group of site plans which illustrate the advantages of "open" development and of cul-de-sac treatment of streets.

The Manual bears traces of careful preparation and study, that may be rightly attributed to Raymond Unwin, the distinguished British architect and town planner, and the architectural adviser of the Ministry of Health. It is quite evident that Mr. Unwin has had much to do with the preparation of this valuable publication.

All students of housing and town planning should obtain copies of it.\*

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\* The pamphlet can be obtained for 9 d from H. M. Stationery Office, Adastral House, Kingsway, London W. C. 2, England.



## LONDON'S SQUARES

### A UNIQUE FEATURE OF A GREAT CITY

London in common with other great world centers has recently been feeling growing pains. Changes have been taking place in that great city similar to the changes that are taking place in New York and Paris. Some of these are giving great concern to the older residents in all these cities; and there are ominous head shakings as to present-day trends, and dire prophecies as to what the ultimate outcome of all this disturbance will be.

One thing that has been giving London much concern lately has been the threatened destruction of her "Squares". Londoners are rightly concerned about changes that menace these charming and distinctive features of that great city.

It is hard to imagine what London would be like without these pleasant green places of shade and quiet at frequent intervals. While it is hard to say what makes London just what she is—for we are conscious that it is a great variety of elements that give that city its great charm—yet it would seem to us that, perhaps more than any other feature, the marvelous system of "squares" which prevails in that city does more to give London its peculiar characteristics than perhaps any other one single element.

London's Squares are unique, in that these open spaces—sprinkled generously through the residential parts of London—are not public places, but are private property fenced in with iron grilles and not accessible to the public. But a cat may look at a king; and the public have all the advantages of the sight of these delightful oases in the desert of London's miles of brick and mortar. Their eyes are rested by the beauty of the foliage. Every Londoner benefits by the freshness of the air that comes from these bits of greenery scattered through London, and those who are fortunate enough to live upon them are indeed benefited by them; for, they bring light, air, quiet, fresh breezes, and green things to look upon—much that mitigates the disadvantages of city living. In addition to these pleasant aspects and the quiet that comes through their presence, those who live there also have the privilege of access to them; for the squares are all private property owned in common by the property owners who abut upon them.

### LONDON'S SQUARES UNIQUE

In this respect London's Squares are unique. We know of nothing like them in America, with the one exception of Gramercy Park in

New York. This was frankly modelled by its founder upon London's Squares. This, too, is a private square, access to which is debarred the general public, but which is enjoyed by the property owners who abut upon it. That it has maintained its privacy for all these years with the changes that go on in New York is rather remarkable. That it will continue to do so for many years longer we doubt. Traffic necessities will, before long, we fear, compel the cutting of a street through Gramercy Park, which will destroy much of its charm and usefulness.

With the changes that are going on in the older residential sections of London, consternation has been spread among old dwellers in that community at the thought that they may lose some of these characteristic open spaces, with changed conditions in the neighborhood and with old residences being turned into flats and even into business buildings, there is nothing to warrant the preservation of London's Squares. As a result of some of the changes which have already taken place—for coming events cast their shadows before—there has been a sudden awakening on the part of the people of London to the very great menace that confronts the continued existence of these important open places.

As a result of this feeling of anxiety the Government has taken a hand in the situation. Neville Chamberlain, the Minister of Health, a year ago announced that a Parliamentary Commission on the London Squares would soon be appointed, to see what steps could be taken to preserve these important parts of London. Such a Commission was shortly after appointed and since then has been taking testimony.

The Squares as planned by the original owners in the 18th and early 19th centuries had a very great aesthetic value, not only to the residents who overlooked these open spaces but also to the whole population of London. London was justly proud, at the time, of the fine façades to the squares, which were originally designed in most cases as complete architectural compositions. At the present time some of these façades are being rebuilt, notably at Russell Square, Red Lion Square, Bloomsbury Square and Finsbury Circus. In the case of Russell Square, it would seem that there is a tendency to rebuild, regardless of architectural unity, which naturally will greatly affect the charm and harmony of the whole neighborhood.

There are more than 400 of these green and pleasant spots, the majority of them in private ownership, being gardens created for the use of the residents in surrounding houses. At the time of laying out the estates on which these Squares are found there could have been no intention of building on them at a future date.

That this battle for the preservation of these pleasant green spaces which go so much to make up the charm of London is not a new



one, is shown by the fact that as long ago as 1905, 23 years ago, a bill was presented in Parliament, having for its object the prohibition of the erection of buildings on London's Garden Squares. A schedule attached to the bill prepared by authority of the London County Council showed that these Squares were in the ownership of 125 different persons, and were distributed in 437 open spaces, 310 of which were garden squares equal in area approximately to 287 acres, the remaining 127 were garden enclosures equalling in area 162 acres, the total 437 open spaces having an acreage of 447 acres or about an average of 1 square per acre.

Twenty years later an official schedule of these squares was made and it showed that in that 20-year period London had lost 12 of its squares and 11 acres of its open space.

The legislation proposed in 1905 failed to secure approval of the House of Lords Committee and in the next year a bill was passed procuring protection for 64 of the squares, the owners of which had consented to this legislation.

Sir Edgar Bonham Carter, speaking recently before the Royal Commission on behalf of the Commons and Footpaths Preservation Society, the Garden Cities and Town Planning Association, the London Society, the National Playing Fields Association and the Metropolitan Public Gardens Association, said in part:

From the point of view of public health their value in admitting sun and air, providing vegetation in crowded streets is generally recognized; and, from the point of view of public amenity, they are perhaps the most admirable feature in the layout of the residential parts of London. They bring to the district in which they are situated some feeling of spaciousness and something of the peace and charm of the country garden. Their preservation is therefore of the highest importance, both on grounds of public health and on grounds of public amenity. It is also of the highest importance from the point of view of traffic, for, if they were built over, greatly increased traffic would result and would add seriously to the congestion of the squares themselves and of the neighboring streets.

While 64 of the squares are already regulated by private Acts of Parliament which protect the enclosure from being built over, the great majority of them and of similar open spaces of London are not in any way protected from being eventually built upon. When the original ground leases expire, the land owners will get back possession of the gardens free of restrictions as to use, and legally will have the right to build over them or to let them on building leases, if the Building Acts permit. In a few squares all the leases have now expired. The leases of a considerable number of squares will expire during the next 10 years, while most of the remainder will terminate within a period of from 20 to 30 years.

It is obvious from this statement why the people of London are pressing forward at this time to secure action that will preserve these

charming and desirable open spaces for all time. They are especially moved to act now because there have been recent instances in which the residential character of the squares has changed and the character of the neighborhood is being destroyed. This has happened recently in the case of Mornington Crescent and Endsleigh Gardens. It is feared that what has happened in these two instances may be typical of what will inevitably occur to others, unless steps are taken to prevent it.

#### TOWN PLANNING TO THE RESCUE

It looks at the present time as if town planning might be brought to the rescue of the situation. At a recent hearing before the Royal Commission, E. R. Abbott, a distinguished legal member of the British Town Planning Institute, pointed out that it would be possible for the London County Council, as the Town Planning authority, to safeguard the majority of the London Squares and their surroundings, by means of a scheme or schemes under Section I (2) of the 1925 Town Planning Act. He added that it was probable that in many cases the voluntary cooperation of the present owners would be forthcoming; and, even if that were not so, it appeared, in respect to squares the buildings around which are at present in residential occupation, that no compensation would be payable in view of Section II (2).

Other squares were protected by Act of Parliament, and, therefore, the question of compensation did not arise with regard to them.

In other cases, as he pointed out, leases existed with many years to run; which would so discount any possible future building-value that even if any compensation should be claimed it could only be a small amount. There were a number of squares, he added, where the surrounding buildings, or many of them, were used for commercial purposes. The first thing to determine was the best use to which each square—whatever the present character of the surrounding property—ought to be put, with due regard to private rights.

There were several types of squares but the principal distinction was between those partly or wholly surrounded by streets and those that formed interior gardens. With regard to the latter, it was essential to keep the space open and in the interests of health, whether the surrounding buildings were used for residential, commercial or industrial purposes. It seemed clear that the principle of the Town Planning Act of 1925 (Section II (2) ) applied.

Mr. Abbott added that it was important that the present character of the squares as green oases should be continued, and, so long as they



were surrounded by residential property, their private character might well be maintained. It seemed to him that the use of the surrounding property should be determined as part of a general town planning scheme for London and that it should be possible and equitable to safeguard most of the squares without cost to the public.

We regret that we have not space in which to consider all the interesting ethical and legal questions that have been raised with regard to the taking over of these Squares. It may be said in general that there are two proposals being considered. One is that the Government, by act of Parliament, should "sterilize" the Squares, in other words enact laws which would prohibit their ever being built upon—and without compensation to the existing owners. The other is that the local authorities should acquire the Squares and compensate the owners for their value. This, however, is recognized as a very unlikely happening in view of the great value of the property and the unwillingness of the local authorities to expend such large sums of money for something which the people of London, apparently, already possess.

#### LET THEM NOT BE DESPOILED

There has also been a discussion as to whether these Squares should be thrown open to the public, but it seems to be the general consensus of opinion that this would be a mistake. To those of us who live in New York and see what happens to Central Park, a people's playground, in a Democracy where the People are told that "it is *their* park", and who thereupon proceed to do with it as they will, we are inclined to the view that the people of London are wise in preserving the private character of these delightful open spaces. For, they would soon cease to be the charming bits of rural scenery in the heart of London that they now are, once they were overrun by an indiscriminating public allowed to work their will upon them.

It may not be amiss to point out that Benjamin Franklin when he laid out the city of Philadelphia some centuries ago contemplated a similar system of public squares at intervals of every mile. Unfortunately, that feature of Franklin's plan was not carried out in the development of Philadelphia. Had it been, Philadelphia would be today an even more attractive city than it now is.

We imagine it has been "democratic ideas" in the United States, that have prevented the development of our cities in the fashion of London. But how much more advantageous it would have been if our cities had been laid out with these considerations in view, and we had these lovely green oases at definite intervals, scattered throughout

all of our great cities. What it would mean in the charm and increased livableness of our communities is obvious.

What it also would mean in increased values of property is only today becoming apparent.

## HOUSING A WORLD MOVEMENT

How universal the housing problem is and how similar the methods of solving the problems involved in this question are, is borne in upon one after reading the valuable and interesting volume of "Papers" prepared for the recent International Housing and Town Planning Congress at Paris by the International Housing and Town Planning Federation. A person who wishes to obtain a cross-section of the housing situation as it exists today in Europe and in America will find it very easy to obtain such an impression from a perusal of this volume.

The topics discussed at this international meeting were: The Housing of the Very Poor, that very difficult question of House Building Costs and New Methods of Construction, the rather untouched subject of Rural Housing, and Legal and Practical Difficulties in carrying out Town and Regional Planning, and Mass and Density of Building in Relation to Open Spaces and Traffic Facilities.

These live aspects of housing and town planning were discussed by leaders in the housing and town planning movements in most of the European countries, including Austria, Belgium, England, France, Germany, Holland, Italy, Spain, Switzerland, Czecho Slovakia, Denmark, Esthonia, Finland, Jugo Slavia, Lattia, Norway and also the United States.

Every student of these subjects will find it essential to have a copy of this important book. Copies can be obtained upon application to H. Chapman, Secretary International Federation for Housing and Town Planning, 25 Bedford Row, W. C. 2, London, England.

## "PLANIFICACION"

### CITY PLANNING IN MEXICO

The seventh issue of the Journal *Planificacion* continues the interest developed by earlier issues. In this number one finds an editorial on the creation and advantages of City Planning Commissions in Mexico. It also contains an article on City Planning in Antiquity, another article on Old Inns of New Spain and also an article by Jacques Lambert of Paris, Consulting Architect along with Edward H. Bennett



of Chicago for the National Association for the Planning of the Mexican Republic.

A part of John Nolen's paper "Twenty Years of Planning in the United States" is reproduced, as well as the complete law of City Planning for the city of Monterey, which is the first law of this kind. One of the most beautiful suburban developments in the Federal district, that of Chapultepec Heights is illustrated. This is a suburban development on the outskirts of Mexico City from which great things are expected.

Announcement is also made of the creation of a Committee on the Regional Plan of Mexico City and its Environs, made up of 50 of the most prominent men in Mexico who have shown their marked interest and devotion to that city.

This Committee at a recent meeting appointed Carlos Contreras, the distinguished Mexican architect, as Director of the Regional Plan of Mexico City and Its Environs, and as consultants Edward H. Bennett of Chicago and Jacques H. Lambert of Paris.

Beginning with this issue "Planificacion" publishes two new sections devoted to different phases of the subject, one on the Civic Architecture of Mexico and the other on the Civic Sculpture of Mexico, so as to make better known to its readers the things of beauty which Mexico possesses.

## TWO YEARS OF BARREN EFFORT

### NEW YORK'S STATE HOUSING BOARD

It must be singularly disappointing to Governor Smith—whose State Housing Law was loudly proclaimed two years ago as a marvelous achievement and a constructive programme that would in a short time abolish the slums of New York—to find after two years' trial of this much advertised scheme that the results thus far are practically *nil*. Employing the language that is most familiar to the Governor, he must be asking himself whether he "has pulled a boner" or whether "something was handed to him". If he answers his own question quite frankly we think he will have to admit that both these things have happened.

So far as the public can judge, the only results that have thus far come from the operation of the State Housing Law and the work of the State Board of Housing after two years of effort and the expenditure of \$120,000 is a few printed reports, an investigation as to sites

and the possibility of erecting modern tenements in certain sections of New York City, and a report on the rental situation.

The results are indeed barren.

When one reflects that, according to the State Board of Housing's own statement, its duties include responsibility for the housing situation throughout the state, and that there is imposed upon this body a grave responsibility to study housing needs and conditions in all parts of the state, and to take measures to remedy these conditions, it would seem as if the Board had been singularly unmindful of the opportunities that confronted it.

According to the Board's own statement\*, under the terms of the State Housing Law, the Board is required:

To study housing needs and conditions throughout the state and to determine in what areas existing housing conditions are a menace to the health, safety, morals, welfare and reasonable comfort of the citizens of the state. The Board is charged with the preparation of plans for correcting such conditions. It is to collect and distribute information relating to housing and community planning, to study the means of lowering rents on dwellings by securing economy in the construction and arrangement of buildings; to assist in the preparation of legislation and regulations in relation to housing, zoning and planning throughout the state; to cooperate with local housing boards; to encourage cooperative housing and tenant ownership of dwellings, and is authorized to investigate monopolies of building materials and cooperate with federal and state prosecuting officers to end such monopolies.

It is greatly to be regretted that the Board has apparently conceived its functions to relate solely to attempts to carry out schemes for slum clearance in New York City and to report upon the necessity of further extensions of the Rent Control Laws, and has turned its back upon the vast and important field that exists in other portions of the state and utterly neglected the needs of other great communities.

Housing conditions throughout the state of New York, especially in the cities of the state, as in other states and in other great cities, are a "menace to health, safety, morals, welfare and the reasonable comfort of the cities of the state". Such conditions have existed for many years, notably in such cities as Albany, Syracuse, Rochester, Utica, Yonkers, Buffalo and even in many of the smaller cities. Most of these cities are without adequate housing laws and adequate means of enforcing such laws as they have. A very grave responsibility rests upon the State Board of Housing for failing to carry out the specific mandate of the statute and direct their attention to these conditions.

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\* See Legislative Document No. 76, Report of State Board of Housing to Governor Smith, February 29, 1928, page 7.



Since the State Housing Board's appointment two years ago so far as the public knows, it has done nothing to "collect and distribute information relating to housing and community planning"; nothing in the way of "study the means of lowering rents on dwellings by securing economy in the construction and arrangement of buildings"; nothing in "assisting in the preparation of legislation and regulations in relation to housing, zoning and planning *throughout the state*"; nothing in the way of "cooperation with local housing boards"; nothing in the way of "encouraging cooperative housing and tenant ownership of dwellings"; nothing in the way of investigating "monopolies of building materials" and "cooperating with federal and state prosecuting officers to end such monopolies".

The Board says that these are its duties. But, thus far, it has done nothing to fulfill them.

In the field which it has elected to occupy, viz. the attempt to start Slum Clearance schemes in New York City and to replace antiquated tenements in certain sections of that city with modern, up-to-date buildings, it has been singularly unsuccessful. Its report rather pathetically points to its one lone child—though it really has little claim to paternal responsibility for that infant. We refer to the one group of buildings that has been constructed thus far which has taken advantage of the State Housing Law—the buildings of the Amalgamated Housing Corporation organized by the Amalgamated Clothing Workers of America. To read the Report of the State Board one would reach the conclusion that the State Board had initiated this project and had been the means of its being carried out. This, however, is not the fact. The project was well under way before the State Housing Board came into existence.

On the subject of the Rent Control Laws, the Board has similarly been rather ineffective. In the face of an official Report of the Tenement House Commissioner that there were 83,000 vacant apartments in Greater New York, as a result of a census conducted by that Department, and that a very large proportion of these were in buildings of the lower rental value, it would indeed have been strange if the State Board of Housing could have reported otherwise than they did that the "emergency" no longer existed, and that the Rent Control Laws should be allowed to come to an end this year.

Even this recommendation, however, proved futile. For, a "political emergency" was found to exist, which led the Governor to sign a measure extending the rent laws for another year.

It is not strange in the face of these conditions that the citizens and taxpayers of New York are beginning to ask themselves what they

are getting for their \$120,000, and wondering just what the reasons were which led Governor Smith to believe that his scheme for a State Board of Housing and the State Housing law held within it such great advantages to the people of the state.

### PITTSBURGH ORGANIZES FOR HOUSING

Announcement has just been made of the formation of the Pittsburgh Housing Association. Patterned after the successful Philadelphia Housing Association, the new local body is made up of business leaders, professional men and students of welfare and housing. It is headed by M. W. Acheson Jr., and on its Board of Directors are representatives of Pittsburgh's citizenship and interest in movements for betterment.

The new Association does not contemplate engaging in the building of houses; nor in such work as has been undertaken in England by the Octavia Hill movement in the rehabilitation of unsanitary and unhealthful houses in so-called slum districts—though the new organization rightly recognizes the importance of both these activities, and may easily lend its efforts to bringing about the formation of definite entities to accomplish these results.

Influenced by the great success of the Philadelphia Housing Association the Pittsburgh group have set themselves the task of following in the footsteps of their neighboring city in the Eastern part of the state. They propose to advocate and work for the improvement of housing conditions in Pittsburgh in all practical and effective ways, and mean to start by first ascertaining the facts, then advocate the enforcement of health and housing legislation and will study those conditions which may call for philanthropic effort for betterment. An experienced housing worker is being sought as the executive of the new organization.

### CHICAGO BUILDS MODEL TENEMENTS

It is rather surprising that Chicago with its public spirit and progressiveness and with its interest in housing keenly aroused for over a quarter of a century should not have before this embarked upon the building of model tenements as one method of improving housing conditions in her city.

Better late than never, however. Such an enterprise is now on foot in Chicago in the form of the so-called Marshall Field Garden Apartments now under construction. The scheme financed through the



Marshall Field Estate contemplates the building of an entire block of model tenements around a central garden, the buildings being but two rooms in depth and following the well known plan developed by the New York architect, Andrew J. Thomas.

Mr. Thomas is in fact the architect of these new Marshall Field Model tenements, though local pride—which is particularly strong in Chicago—has found it necessary to be mollified by the appointment of a local architect and the announcement that Mr. Thomas' function is that of "consulting architect".

No one, however, who has seen the plans of the building has any doubt who the real architect of the project is. The buildings in question are to be built upon an entire block on the North Side of Chicago bounded by Siegel, Blackhawk, Sedgwick Streets and Hudson Avenue. While the project has been announced in the local press as a scheme to do away with Chicago's slums—just why the press always takes this extraordinary position whenever a block of model tenements is proposed we are at a loss to understand—the district in question cannot by any stretch of the imagination be said to be a slum district, the buildings being located but 2 blocks away from Lincoln Park and but 4 blocks from the Lake Shore Drive.

Nor can flats designed to be occupied by people in the \$4,000 income group be deemed to represent a new method of housing "slum dwellers". Slum dwellers earning \$4,000 a year are certainly a novelty, even in America with its high standard of wages.

Ridding the scheme of any such adventitious and false aspects, the project resolves itself, as Mr. Thomas' other projects in the East have done, into the building of a high-class block of apartments intended for people of moderate earning capacity and designed to afford to such people a maximum of comfort and a high standard of living from every point of view.

The plans for these Chicago tenements follow very closely those of similar model tenements which Mr. Thomas has developed in New York and New Jersey for the Rockefeller, Standard Oil and Metropolitan Life Insurance Company interests as well as for other groups. The apartments are but 2 rooms in depth and each apartment will have that desideratum, cross ventilation.

The buildings will occupy an entire block with a frontage of 913 feet on two of the streets and 248 feet on the other two. When completed—and the completion is expected in October—the buildings will house 600 families. In leasing the apartments preference will be given to families with children and a definite top limit of family income not

exceeding \$4,000, it is said, will be established. Families enjoying a larger income will not be admitted. The buildings are to be divided into 9 separate units and will contain approximately 3,000 rooms arranged in 600 suites of from 3 to 6 rooms. The buildings will be 5 stories high and will be walk-ups.

While the rents have not yet been determined, Mr. Marshall Field's agents have stated that the apartments will rent at a minimum figure, well below that for any similar space available for families of moderate means in Chicago.

The buildings will be fire-proof, and, as in all of Mr. Thomas' plans, only half of the lot will be occupied by buildings, the rest of the property being thrown into a great central garden, thus furnishing not only adequate light and ventilation to all the rooms that open upon it, but also affording comparative quiet to such rooms—at any rate, freedom from street noises—and affording an attractive playground and recreation space for the tenants of the building.

It is definitely stated that the scheme is not to be a philanthropic project, although the Field estate is charging a low rate of interest on the investment; just what the rate of interest is, is not stated. It is announced that the whole scheme is expected to be amortized in 30 years. A stock company will be formed and all of the dwellers in the 600 apartments will be co-operative owners, joint stockholders, in the venture where every saving will show in the rent and in dividends.

That the social side of the enterprise has not been neglected in the plans of its projectors is indicated by the announcement, at this early stage, that a playground instructor has already been engaged in the person of an experienced social worker. Special insurance features are being devised, the chief being a group insurance plan under which each stockholder is to be insured for \$1,000 with the premiums added to the rentals; disability and sickness features may be added.

There have been several features connected with the development of this enterprise that give those interested in housing reform some concern. One of these is the lowering of Chicago's housing standards and the action of the Chicago City Council in responding to the pressure of these great special interests in allowing a let-down in the standards with regard to the height of ceilings that have been required for the past 25 years in tenement buildings.

When the Chicago tenement law was enacted in 1902, following closely the enactment of the New York tenement house law of 1901, the then New York standard of a 9-foot ceiling height for future tenements was modified and reduced to what many consider the inadequate



standard of 8 feet 6 inches for the height of ceilings in future tenements in that city.

Now it is proposed to allow this particular group of buildings to be built with ceilings only 8 feet high. While we can readily understand that with a reduced story height of this type it is possible to reduce the cost of construction, we have never been able to share the view of Mr. Thomas that this is a desirable change to make. Were Mr. Thomas' knowledge and experience of tenement conditions more extensive, we doubt very much whether he himself would ever have urged this relaxing of sanitary standards.

An 8 foot ceiling height may be all right in the bungalow of well-to-do or rich persons, or even in an apartment house, but when it comes to a tenement house, using the term in its popular sense, which may be very greatly overcrowded with persons of foreign birth whose habits of living and standards in many respects do not conform to American standards of living, it becomes apparent that adequate ventilation is endangered by this reduction in standards. We believe that Mr. Thomas will live to see the time when he will regret that he ever advocated this change. When the building is new and the tenants are of a high class, the 8 foot ceiling height undoubtedly seems adequate, but as years pass and the buildings deteriorate and the management changes, and the class of tenants that occupy it become totally different and lodgers abound, it will be found that the 8 foot height is not adequate, and that it was a mistake ever to have taken this backward step—at least, we believe that that is what the future will prove.

One of the other rather extraordinary features of this enterprise is the action of the Chicago City Council in closing a public alley in order that the Marshall Field Estate might have a continuous property. I imagine that there are a great many other builders of tenements, model or otherwise, that would rejoice at such action—not only in Chicago but in all our cities.

Whether the price of \$3411 for which the City of Chicago handed over this rather small public alley to the Marshall Field Estate is adequate compensation for the property involved, we cannot say. What interests us, we confess, is the fact that by a mere resolution of the City Council the City of Chicago can thus dispose of its public streets. We had supposed that the people of Chicago had inalienable rights in their public ways, but apparently they do not have.

In view of this action, we rather marvel at the fact that the political high-binders who have held sway in Chicago for so many years have not long ago sold off all the streets and alleys to their particular politi-

cal friends to be used for building lots. It is a field of activity and profit which apparently has been overlooked.

Irrespective of these considerations, we think that the action taken by the City Council in closing this short length of alley and allowing the Marshall Field Garden Apartments to be developed around a central interior garden or open space, is highly desirable. We hope that the success of this method of treatment may demonstrate to the people of Chicago that alleys in residential districts are not desirable, but objectionable, things, and that the closing of most of their alleys and the similar treatment of such property would prove advantageous to the city of Chicago.

Another feature of this development which we confess we cannot contemplate with equanimity is the extraordinary action of the Chicago City Council on January 16th last in adopting a Resolution which practically authorized the Building Commissioner of the City of Chicago to allow the owners of this property to build their tenements without regard to any of the existing building laws or housing laws of Chicago, so long as they complied with the plans and specifications which were at that time submitted to the Council.

Frankly, we have never heretofore heard of the granting of "special permits" of this character, giving to the Building Commissioner a blanket power to permit anything he fancies on a project involving \$4,000,000, occupying an entire city block and affecting the welfare of 600 families.

No wonder Chicago has the reputation throughout the country of being a lawless city, if they handle their building affairs in such fashion.

#### ANOTHER MODEL TENEMENT CONTEMPLATED

Following the announcement of the Marshall Field development it is stated that Julius Rosenwald, one of Chicago's leading philanthropists, contemplates the building of a similar development to commence soon after the completion of the first unit of the Field project. In other words, if the Marshall Field Garden Apartments prove to be a success then Julius Rosenwald will erect further model tenements.

#### STATE-AIDED HOUSING PROPOSED FOR MICHIGAN

With the organization of the Michigan Housing Association at Detroit in February, another state enters the field of state-wide housing endeavor.

It should not be thought, however, that the State of Michigan, with its great wealth and progressive tendencies is only now taking up the



improvement of its housing conditions. For, Michigan has been a leader in this field for many years. A number of years ago at the instance of Tracy McGregor and a group of public-spirited men in Detroit, among whom was the present Health Commissioner, Dr. Henry F. Vaughan, the people of Michigan placed upon the statute books, the Michigan Housing Law—which is still today one of the best housing laws in the country. This statute follows very closely the Veiller Model Law and has proved most effective in practice.

It was the natural first step to be taken in any effort to cope with the State's housing evils. Supplementing this enactment, this same group of public-spirited men in Detroit formed the Detroit Housing Association and for many years have been active in bringing the enforcement of the housing laws up to a high standard, in which effort they have been very effectively aided by Dr. Vaughan during his administration of the Health Department, with the result that Detroit today takes a high place among American cities in the effort to improve housing conditions.

Nor has this effort been by any means limited to the city of Detroit. Other cities in the state have been similarly active, notably Flint, Lansing and a number of others.

The present movement in Michigan, now taking this aspect of more formal organization, is largely the result of study given to the housing problem by Dr. S. J. Herman of Detroit.

Confronted with the present high-cost of building, Dr. Herman has been much impressed with the difficulty of building houses at the present time that can be purchased by the ordinary workingman, notwithstanding the high wage level that prevails in America today.

To Dr. Herman, the essential factor in reducing the cost of construction—which to him, we fear, seems the chief housing problem—is to be found in reducing the cost of financing building operations.

While there is much talk in the prospectus issued by the new Association of fact-finding, surveys and elimination of slum areas, this is largely “window-dressing”. The real plan which Dr. Herman is proposing to follow and which it is admittedly the aim of this new Association to carry out, is primarily a scheme for the use of public credits and of the taxpayers' money to aid in the financing of small homes.

This is quite frankly stated in the prospectus issued by the Association which goes so far as to say that:

“There is *no* way of solving this problem of financing except through public credits and establishing regional home loan funds, for which a constitutional amendment is required.”

The Association describes its plans as follows:

#### THE PLAN

The plan may be considered under the following heads:

1. Financing.
2. Development and Construction of Communities.
3. Administration.
4. Provisions for Re-payment.

#### FINANCING

It is admitted that there is no way of solving this problem of financing except through public credits and establishing regional home loan funds, for which a constitutional amendment is required. Then, the legislature will provide for the creation of (1) Regional Home Loan Commissions and (2) Housing Corporations.

1. The power of said Commissions will be limited to:
  - (a) Administration of home loan fund.
  - (b) Issuing home loan bonds.
  - (c) Loaning the proceeds to Housing Corporations.
  - (d) Looking after security and repayment of said loans.

These Commissions will be legal instrumentalities of the regions creating them and will be permitted to pledge the faith and credit of the regions.

2. Housing corporations will be distinct corporate entities, the same as any other business corporation, and may do the following:
  - (a) Buy land and develop same.

These corporations will be responsible for their own acts, and the communities in which they are located will not be responsible for their operations.

Officers of both Home Loan Commissions and Housing Corporations will be appointed by proper public authority and will serve without compensation.

#### DEVELOPMENT AND CONSTRUCTION OF COMMUNITY

Housing Corporations will engage the executive personnel, who will purchase parcels of land of not less than 200 acres, and will build communities of not less than 1,000 homes each. All purchases will be made for cash and in large quantities, and construction will be on a mass production basis. By eliminating the high cost of financing and taking advantage of quantity buying and mass production, we shall produce homes at a cost not exceeding 40% of present selling price on deferred payment plan. Figures from bids are available to substantiate this conclusion.

The planning of the community will receive every practical and aesthetic consideration, both as to land and architecture. All houses will be finished in brick, stucco, or other permanent materials, and careful thought will be given to avoid duplication. Modern improvements, including bath and central heat, are provided—no house containing less than two bedrooms.



## ADMINISTRATION

The local housing corporation will avoid interference with independent community management, but will stand ready to give helpful suggestions and co-operate to further the success of the community plan. Administration of the community will be entirely in the hands of its residents, who will select its own Board of Directors for various departmental duties.

While being subject to the laws and regulations of the city or county in which they are located, they will be encouraged as far as possible to develop a local association for all administrative purposes, in order to engender a spirit of neighborliness, co-operation and civic solidarity.

## PROVISIONS FOR RE-PAYMENT

Assuming that some of the families will have no cash available for a down payment, a method has been devised which will enable the corporation to sell one-fourth of the homes without cash payments, one-fourth at 5%, one-fourth at 7½%, one-fourth at 10%, and those deficient in their payments to make up the 10% required by contributing their labor at odd hours within the community, and without interference with their normal occupation. Monthly payments will include interest, taxes, amortization, fire insurance, group-life, health and accident insurance, community expense for recreation, entertainment, park system, welfare, etc. In case of death or total disability of head of family, insurance policy will provide full pre-payment and transfer of property to beneficiary without encumbrance.

By giving the housing corporation wide discretionary power, it is hoped that the benefits accruing under this plan may be limited to the lower wage and salary earners (preference to families with children). A large waiting list is anticipated, and care will be required in choosing the personnel of the residents to assure a reasonable amalgamation of various racial and national stocks, and a smooth functioning of civic ideals and aspirations.

## PRACTICALITY OF PLAN

To determine this point the plan was actually worked out in detail just as though building were to start on the morrow. A community was laid out from a given piece of land, the price of which was definitely established. Bids were obtained for all utilities, including the complete construction of the homes and the development of parks and playgrounds. These bids were bona fide, and each bidder agreed to furnish a surety bond for the completion of the project within two years. In this way a positive check-up on all phases of the undertaking was obtained, detailed results of which are available.

Whether the voters of the state of Michigan are ready to take this step of taxing themselves so that a limited group in the community may have the benefits of cheap home financing, remains to be seen.

When the time comes to present this issue to the voters of the state in the form of an amendment to the Constitution, we hope that the

true facts about state-aided housing in this country will be frankly and honestly presented, and that such misleading and inaccurate statements as are made at the present time will not be repeated.

That such statements as the following should be made, is a source of wonder and regret.

Many States of the Union have taken action, either by amendment of the State Constitution or by direct legislation, to aid in home-building and home-owning. These various measures provide for home-loan funds and other forms of encouragement to home building. Among these forward-looking states are the following:

California, Louisiana, Massachusetts, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas and Wisconsin.

For example, it is unfortunate to say the least, that the promoters of this project should have failed to state that the use of State credit in California had been limited to land settlement schemes and had even in that respect proved such a failure that the legislature after a thorough investigation of its operation by a committee of its own body appointed for that purpose, had reported it to be a serious failure and had discontinued the effort; that in Massachusetts the experiment had been limited to the building of 12 houses in one community and that it had been so little of a success that no further effort had been taken, although this experiment was made 10 years ago.

How misleading this statement is, one realizes when he considers New York. The impression is given that New York has similarly authorized the use of State credit to encourage home building. Such is not the fact. All that New York has done has been to authorize tax exemption of the stock and bonds of certain limited dividend housing corporations.

Nor is there a single state in the Union today which loans its credit or funds to home owners or home builders. Misrepresentations of this nature will not advance the cause of housing, nor promote the carrying out of the ideas so earnestly desired by the promoters of the present movement.

## MORE ROCKEFELLER MODEL TENEMENTS

### THIS TIME IN BROOKLYN

Recent announcements indicate that the project for the erection of a group of model tenements in Brooklyn which has been so actively urged during the past year by Louis H. Pink, Chairman of a Citizens Committee in charge of the project and a member of the State Board of Housing, is likely to be soon realized. The carrying out of this



scheme is made possible by a generous contribution by John D. Rockefeller Jr., who, it is stated, has promised to subscribe the remainder of the capital necessary to allow the project to proceed.

It appears that the Committee has already received pledges from Brooklyn citizens amounting to \$150,000 and Mr. Rockefeller has offered to subscribe a similar amount, if needed, to enable the building to be completed. A total capital stock of \$250,000 will be subscribed before the building is finished.

In addition, the Metropolitan Life Insurance Company has agreed to take a 5% mortgage representing  $\frac{2}{3}$  of the value of the building, subject to its usual conditions of approval of architects' plans and specifications.

The project known as the Brooklyn Garden Apartments, it is expected, will cost altogether \$700,000. The site selected is on 4th Avenue between 23rd and 24th Streets, Brooklyn. Andrew J. Thomas—who almost seems to have a monopoly of building "model" tenements—is announced as the architect of the new venture, which augurs well for its success from the point of view of design. The project is to be started in the immediate future and it is expected will be completed by December. Apartments are to rent for \$9 and \$10 per room per month. The building will follow the usual plans which Mr. Thomas has developed so satisfactorily in his other model apartment buildings. It will be but 2-rooms in depth and will be built around a central open space or garden. Each apartment will have a fully equipped kitchen, a modern bath room and cross ventilation will be featured. There will be a children's playground and a community room. On the ground floor facing the 4th Avenue frontage there will be stores, the rentals from which it is expected will help to reduce the cost of rentals to the tenants.

Model tenements in Brooklyn are no new thing. That city has many admirable examples to show through its long history. Nor should it be forgotten that the first really satisfactory model tenement venture in America was made in that borough by the late Alfred T. White; who, following the example of successful model tenement buildings in London, developed, first, his Home Buildings in 1878 and then, later, in 1890 his Riverside Buildings—which incidentally have furnished the proto-type of Mr. Thomas' plan of building a whole block of buildings around a central garden or open space and not having the building more than 2 rooms in depth.

Mr. White, if he were alive, would be the last person to claim any originality for this design, for it was frankly copied after the plan of the then successful and recent English model tenement buildings.

## THE OBSOLETE BACK YARD

Americans have been rather slow to wake up to the fact that to build houses in an ordinary residential development with back yards is to be very much behind the times. Our English cousins have recognized this ever since the advent of the Garden City movement. One of the reasons why that movement has been so successful has been the fact that there have been, as they put it, "no backs to the houses". The rear exposures are made as attractive as the front, and all of the sordid and unpleasant appurtenances that have for so long been part of American residential developments have been done away with.

It was easy for the English to come to this change; for, all England is a garden. With their climate gardens are an essential attribute of every house—even the poorest house has its bit of garden. In America this is not so. With our long dry hot weather in the summer in many parts of the country and our bleak cold winters in other parts of the country, there is a very considerable part of the year when gardens are impossible throughout a large part of the United States.

But our subdividers and building developers have within the past few years suddenly waked up to the fact that there is no reason why they should not make the rear portions of their houses just as attractive as the front, and why they should not have in the interior of all of the blocks, quiet places that will be a delight to the eye and will afford a real atmosphere of home and render the residential development which they are planning a place to delight in and to cherish, instead of having them as they are at present, noisy and unattractive.

A Texas sub-divider, J. W. Lindsley & Co., has recently put these views into practice at Dallas in the development of a residential subdivision known as "Greenway Parks".

### NO BACK YARDS IN THIS TEXAS DEVELOPMENT

In this development the lots have a double frontage; each home has two entrances, one facing upon a parkway at the rear, the other upon the street. The park entrance corresponds with what ordinarily would be the front of the house and the street entrance with what ordinarily would be the rear. The homes are thus back to back across the street, instead of face to face, as is the customary method of placing them. However, the street entrance is designed and landscaped so as to be equally as attractive as the park entrance.

The parkway between the houses represents the pooling of the space ordinarily given up to back yards. It varies in width from 100

to 150 feet between property lines, is beautifully landscaped with forest trees, shrubbery and flowers and is provided with side walks. It is closed to all but pedestrian traffic and has no passageway for automobiles.

All homes are set back 25 feet from the park line, thus giving the owner an unobstructed vista of lawn and garden in front of his home of from 150 to 200 feet. Twenty seven per cent (27%) of the entire area of the development is devoted to these parks adjoining the home sites.

In order to carry out this scheme the developers have had to insist upon certain rather radical departures from the conventional style of construction in order to make sure that the appearance of the sub-division as a whole will not be impaired. These have been embodied in a set of restrictions.

In the first place, all garages and servants' quarters are required to be constructed either as a part of the house or so closely joined to it as to give the appearance of a single unit.

Secondly, in order to insure that the street entrance will not be disfigured with the usual back porch and household equipment, the developers insist that it shall be designed as attractively as the park entrance, so as to have the appearance of a front entrance; and that it shall be so placed to admit direct access to the main hallway of the home. Furthermore, it is required that the street yard shall be landscaped with a combination drive and entrance sidewalk, and that all homes shall be equipped with interior garbage disposal plants and basement laundries.

Besides eliminating the usual unsightly back yards and alleys this new plan of sub-division has other advantages, the first of these is the consideration of safety for children.

#### PLANNING FOR THE AUTOMOBILE AGE

Universal ownership of automobiles has created a new problem for the home owner, especially the one with children. The trend is no longer to get as near large thoroughfares as possible, but to get as far away from them as possible. The extensive park developments through the center of each block in this sub-division mean therefore not only greater beauty with better living conditions, but greater safety for children. The parks provide adequate play space far removed from traffic.

The President of the Company making this development expresses the view that back yards are a sort of "hang-over" or relic from the



time when a lot of people kept horses and, for obvious reasons, had to keep them as far from the house as possible; or when most every one kept a cow or pig or chickens, or raised turnips and potatoes. The back yard then was a necessity. It was a handy place in which to dump garbage or refuse or to hang out clothes; but with the modern incinerator, modern laundry equipment, modern method of distributing food and the sanitary automobile instead of the unsanitary horse, there is no longer any need of the old-time back yard. There is no longer an excuse for both a front yard and a back yard. One should be made just as attractive as the other. Unsightly alleys should be eliminated.

In addition to this distinctive feature, this new development on the outskirts of Dallas, "Greenway Parks," situated 5 miles from the center of Dallas and adjoining the exclusive Highland Park development and the Dallas Country Club, has other features of public interest—a de luxe bus service is provided by the developers and a bus leaves the park for the city every hour. It is a 20-minute run to the main business district.

Some of the other interesting features of this development are the fact that all improvements in the first section of the development were installed before a single lot was offered for sale. These improvements include bitulithic street pavements, standard curbs, gutters and sidewalks, water mains, fire plugs, storm sewers, gas mains and Western Electric double bracket ornamental street lighting equipment.

### THE VALUE OF WISE RESTRICTIONS

The development is carefully protected by restrictions. No apartments, "duplexes" or business buildings are allowed. Any style of architecture is permitted in home construction, but the developers wisely reserve the right to pass on all plans and specifications to insure that homes fit artistically into the development, and that they are of sound construction. The minimum cost of a home that will be approved is \$15,000. No lots in the development are less than 80 feet in width and the average depth, not including the park, is 140 feet. The park is maintained by a special department supported by contributions from each lot owner. The cost of its maintenance it is estimated will average 2 cents per 10 square feet of property per year and each lot has been assessed accordingly. All the parks are sodded with grass and clover and beautified with evergreens, flowering shrubs and forest-grown trees. All of this landscaping was done before a single lot was offered for sale.

## THE SAME IDEA OCCURS TO A MINNEAPOLIS EDITOR

That this idea is evidently finding its way into the minds of many people, is evidenced by the fact that recently the editor of the *Minneapolis Master Plasterers' News* contributed an article to the *American Contractor* urging this very same thing in an article entitled "Why Not Build the House in the Rear of the Lot?" In this article he makes the following argument for the scheme that we have just described as already carried out in Dallas. He says in part:

The more I look at the modern homes, the more I am convinced that they are way behind the times and impractical from one point of view at least.

The present method of arranging homes on the lot is archaic and more or less a continuation of a method started in the days of the ox cart or horse, or before that. It is as much out of place as these animals are today. The horse and the ox required a barn, which was almost of necessity placed on the same lot as the house. The latter was, therefore, built as far from the barn as possible, and as the barn was always built near the alley or the rear, the house was built near the street or in the front of the lot.

This was also in the days of the old wood or coal stove and before the time of basements. We had a shed next to the alley for our wood and coal which could be dumped from the wagons into the sheds right from the alley. The old outside toilets also made it imperative to place the house as far from that unsanitary thing as possible—in front of the lot.

### LIVING IN THE PAST

These conditions have all changed. The horse has given way to the auto; the old woodshed is no more. The barns have been torn down or remodeled into garages. The toilets have passed out of existence in favor of more modern, sanitary inside toilets and bathrooms. The ancient candles are gone forever; the tinder box is ancient history. Gas lights are obsolete. Coal stoves and air tight heaters are almost antiques. Even the gas stove and ice box are bound to go the way of the others.

In place of these things we now have electric light and refrigeration, perpetual lighters for gas stoves, modern heating plants with either coal or oil for fuel, radios, telephones, vacuum cleaners, etc.

The world do move, but the old house stays just where it was 50 or 100 years ago—in front of the lot.

Is there any logical reason for continuing to place the house in the front of the lot? Would it not be more practical and efficient to place it in the rear of the lot with the garage attached?

Almost every home now has an auto and a garage. If the garage is built in the rear away from the house, it is expensive to build and heat, and a heated garage is almost a necessity today in the northern states. We waste time going to and coming from the garage, and in rainy weather this is very inconvenient. If the garage is attached to the house in the front of the lot, you have to build an expensive driveway from either the alley or the street to the house, which reduces the

lot space. Carrying the ashes up the stairs makes a lot of muss and we waste much time going to the alley with ashes and garbage. If there is no driveway, the coal man has to carry the coal and charge 50 cents a ton extra, or take a chance on ruining the lawn by driving on it. The mail men, news boys, and delivery men lose a lot of time running from the street or alley to the back door of the house.

#### ADVANTAGES OF PLACING HOUSE IN THE REAR

Having the garage in the rear and the house in the front cuts up the lot into four sections, making it almost impossible to arrange the shrubbery, flowers and other ornaments in a practical, logical or aesthetic manner, where they will show up the best. Storm windows, screens, etc., must be carried up and down the stairs of the house or carried to the garage in the rear.

A large, fireproof, heated garage, with room for storm windows, screens, tools, ice box (similar to the plan of Miss Gleason, shown recently in *The American Contractor*) and a special place for garbage, ashes, and rubbish could be attached to the house at the rear of the lot. You could build one bedroom on the second story over the garage at very little extra cost.

The owners could go right from their house into their car, without going out of doors, in the rain and snow. They would, no doubt, keep their car in the garage more instead of leaving it out in the sun, rain and snow. This would eliminate chances of getting it wrecked by some drunken driver. The owner could go into the garage and work on his car during bad weather, saving some money on repairs and washing. The car would last a lot longer with such care also.

The mail box could be placed in the rear, saving time for these men and also for other delivery men. It would save the cost of building cement drives from the street to the house and the expense of carrying coal or ruining the lawn. Garden tools and everything connected with the house or garage could be kept in one building and save time.

The lot would be divided into only two sections—the buildings and the front yard. This yard could be made into a veritable "Garden of Allah" with a vegetable and flower garden, fruit trees, shrubbery, bird bath and feeding place, bird houses, a pool, walks and lawn, all arranged in a practical and aesthetic manner—in the front of the house-garage.

Just imagine what a beautiful street this would make—a regular park. The heavy trucks and wagons could be forced to go down the alleys and leave the streets as beauty spots, with only light vehicles allowed on them or none at all if so desired. The streets could be made into playgrounds when the necessity of using them for traffic was eliminated. The sidewalks could be placed in the middle of the front street and made at least six inches higher than the street level, except at the intersections. This would make it easier to keep the sidewalks clean in times of heavy snow storms, and it would save the cost of one sidewalk on every street and make it safer for pedestrians to travel. The water would drain off the raised walks and not freeze on them as is the case now.

All city water pipes, gas mains, sewers and electric conduits could be placed in the alleys and the cost of extending them to the house would be lessened at least 50%. In the future, if the municipalities



decided to furnish heat from a central heating plant, these pipes could be put in the alleys also, thereby saving much expense in pipes and waste heat from long extensions. All these pipes should be connected to every lot before the houses are started, thereby eliminating the necessity of tearing up the pavement every time a house is built. It would also increase the efficiency of building by having the water connected as soon as the house is started, instead of waiting until the building is almost completed as is the case now.

#### SIMPLIFY THE STREET SYSTEM

I believe that under an arrangement such as this the front street could be eliminated. The alleys would have to be made wider to accommodate the increased traffic, and instead of being a catch-all for tin cans, garbage, and debris of all kinds, they could be made into beauty spots just as the streets now are. Replacing the streets by wide alleys would cut out the cost of grading and maintaining alleys as they now exist, and we would have better drainage of water from rainfall or snow if all alleys were paved. The name alley would pass out of use under this system.

We have completely changed our mode of living in the last 25 years; but, in the placing of our homes on the lots and in the improvement of our alleys, we have not kept up with progress. These ideas may seem revolutionary and impractical to some; but I believe they are worth considering in laying out new subdivisions, at least.

*Put the house and the garage in the rear of the lot for the sake of progress and efficiency.*

This idea could be reversed so that the houses and garages would be placed in the front, right up to the street and faced to the alleys, which could be eliminated. Either way would amount to the same thing.

#### THE ARCHITECT AND HIS CITY

RAYMOND UNWIN "MAKES A MAGIC"

What makes good design, and what makes architecture the art it is, was not long ago stated so effectively and with such clarity in an address at a meeting of the Royal Institute of British Architects by Raymond Unwin, the distinguished British architect and town planner, that we are reprinting here some of the things that he said upon that occasion. Every town planner and every architect in America should take these words of Mr. Unwin to heart, for they represent great wisdom, and give in simple fashion the very essence of the art of the architect and of the town planner.

Speaking to the title "The Architect and His City" Mr. Unwin on this occasion said in part:

The temperament called artistic is difficult to define, and frequently misunderstood; it includes, in greater or less degree, the imagination to see visions of what might be, the desire to realise them, and the

power to give clear expression to them. It constitutes one of the most practically valuable gifts with which man can be endowed, if according to the degree and character of the endowment its possessors can be made to play their proper part in the community. \* \* \*

Without attempting exact definition, we associate especially with the artistic temperament or faculty, the power to see that which is not there, to call up visions of what might be. An example of method may best illustrate what is meant. The planning of a cottage home is generally thought to be very simple. The ordinary person supposes that the plan is the result of following a few easily learnt rules, coupled with regard for sundry "don'ts"; that a short list of requirements can be made, and that by a system of modification, trial and error, ticking off the points as dealt with, the design can be compiled.

These methods have their place no doubt; but it is not thus that real designs emerge. The truth is that the problem, far from being simple, is as complex as the family life which the dwelling is designed to accommodate. Every room should have its appropriate aspect, size, shape and relation to the other parts of the house. Ready intercommunication must be provided without involving sacrifice of space in the building, loss of comfort in the rooms, or waste of time to its future occupants. Each room in turn must have its door, window, fire, and other parts in right relation and arranged to leave suitable spaces for furniture.

All this must be kept within strict limits of cost; and in addition to being convenient in use and comfortable to rest in, the building should be pleasing to look upon; which means that its mass must set happily on the site, and its color harmonise with its surroundings; that the plan shall be one which will roof well and light well, and that the proportions of all the external parts shall so harmonise that the whole design will look well.

It will be realised that in the making of such a design if the place, size or form of any part is modified, a score more parts will need to be adjusted to restore the right relation or the balance of the composition—a tedious process, and little likely to succeed on the compilation method.

How, then, does the artist work on such a problem? When he comes upon the site, as Kipling expresses it, "He makes a magic"; and, as he intently meditates on the problem, there rises before him an image of the cottage that is to be. He sees the spot where it should stand, the form and color which will best fit into the picture. He sees too, the opportunities for use and enjoyment which the site affords, and watches the life being lived there. He does not try to remember, one by one, the innumerable "do's" and "don'ts"; for should he be tempted to put the door, window and fire in wrong relations, he would see the cook standing in her own light, or the door swinging irritatingly against the easy chair in which the occupant was trying to read.

Instead of the ineffective compiling of details, the artist holds the plastic design suspended in his imagination while he studies it and moulds it, seeing by an instantaneous series of pictures the effect on the exterior view of each internal modification, working the details of plan or elevation with the whole always visible in the back of his mind to help him and check him. The process of design is frequently swift in working; for, imagination acts by flashes. But it is not easy, and needs both training and a special kind of knowledge. To create the pictures, the mind must be stored with the properties which compose

them. The requirements, the conditions and, in this case, the life of the occupants, must be so thoroughly and sympathetically understood as to have become almost an instinctive equipment.

You may think that I have over-elaborated this simple process; that most of the possible combinations both in plan and design have been explored and tested; and that sites on which cottages have to be erected offer few opportunities of any kind, except as regards such sunlight as the state of our atmosphere and the heights of adjacent buildings may allow to fall on our dwellings. You would be astonished how frequently even this important opportunity is overlooked: how many houses are still being built with sunless living rooms and sun-baked larders.

But let us carry the matter a stage further. Consider the laying out of those dreary sites which offer so few opportunities. Instead of compiling the plan by adding plot to plot and street to street in obedience to the practical considerations of so-called profitable development—thus effectively destroying any valuable opportunity of convenience, pleasure or beauty which the site offered—suppose there could be brought to bear on that initial stage of laying out, the same kind of imagination, the same magic of design; need it any longer be true that the cottage sites offer no opportunities? That a few more houses should be crowded on the estate is no doubt an important practical consideration, but how supremely unimportant it really is, compared with the destruction of the beauty of the land, and of the possible pleasure of living upon it, which may easily result!

If any imagination, even faintly endowed with the artistic faculty, had been present to see what might be, can we for a moment believe there would have been that which, alas, we find in the many square miles of dreariness and squalor which constitute so large a section of all our modern towns?

If in the planning of the cottage or the lay-out of a building estate, we see that scientific knowledge and methods of compilation cannot without the aid of the imagination of the artist prove successful, in the wider sphere of town planning, the difficulty of compilation and the need of imagination are not less, but greater.

Hitherto, the work of town planning has suffered for want of clearer understanding, even on the part of those well versed in the subject, of the difference of faculties and methods needed for success. If the practical man has sometimes thought that complete mastery of the science of the subject would suffice to enable him to practice that which is as much an art as a science, it must be admitted that the artist has at times also imagined that his training and his art have forthwith qualified him to become a planner of towns—forgetting that his particular art is based on an extensive science, which must be at least understood.

The artist may, indeed, have trained his imagination and possess the faculty of design; but before he can design a city plan he must master the subject. The knowledge he needs is not merely that of the barrister getting up his case—though he, too, will have many briefs to study. Nor, on the other hand, is it the complete and scientific knowledge of industry, commerce, land values, drainage, road construction, etc., which the economist, the valuer, or the engineer must possess; though a general familiarity with all these is required.



What the artist especially needs is a sympathetic insight into all the relationships of city life, a realisation of the reactions which take place between the city environment and the human society which it clothes and expresses. He needs, in fact, that particular range of knowledge which will enable his imagination to picture the city as it might be, to see the life of the people going forward in it, to see all the different parts and functions in their true relation. He needs this that he may be able to study his vision effectively and mould it to meet the realised conditions; or modify it to avoid the apprehended difficulties.

The kind of knowledge needed is extensive rather than intensive; for, there must be maintained a degree of detachment from the details of the problem, if the city and the life of the city are to be seen fairly and seen whole. The town designer must prepare his imagination for this work by watching and thinking over the phases of city life; meditating on their comparative manifestations in many towns; entering sympathetically into the needs and limitations, musing all the time on visions of how work might be made more efficient and town life more pleasant.

In every case there is much preparation to be done. Thorough knowledge of that which is, must precede and be the basis of useful visions of that which may be. That knowledge we speak of as the survey. In order that it may be adapted to the designer's method, it should be set out as far as possible in graphic form. After the artist has expressed his vision, much will remain to be done in preparing the design for practical execution. What I urge is that the function of the artist, the stage of design, shall not be overlooked.

Let the preparation be as scientific and as complete as may be; when the actual planning stage is reached, there is need for the imagination of the trained designer to lay hold of the multitude of conditions, conflicting interests and requirements; and, with a vision of the city life always present as a guide, to appraise them at their relative value. The designer will study his site, picture its opportunities for work, for business or for play, and will mould the vision of the ideal city until it satisfies the needs and is itself so harmonised with the natural features of the land, that city and site become welded into one conception—a complete design. This, it seems to me, is the special contribution which the artist has to make to city building; he must contribute the vision of what the city might and should be, and translate that vision into the design through which it can be realised.

The practical man or engineer, already versed in all the sciences connected with town planning, if he has the necessary artistic faculties, may cultivate them until he becomes also a master of design and creator of beauty. The artist or architect already trained in design may study the economic and engineering problems and become also a master of the sciences of the subject. Either may cover the whole field of work if he is possessed of all the necessary powers. But it must be recognised that faculties are lavished on few men with such liberality; and that the methods of work are so different that the practice of either may render more difficult success in the other. The detachment from much detail and the free use of imagination which are essential for the designer, may well be dangerous for the engineer. The necessary concentration of the constructor on the perfection of his detail and the security of each stage of his edifice may tend to restrict the freedom of imagination which is the designer's greatest help.

It is the need for the different faculties for which I plead. And because they must mainly be assembled through co-operation, I look for a greater measure of mutual appreciation of function and method. The practical man must realise that his work will be worth much more if it is guided by the comprehensive vision, the co-ordinated design. The artist must recognise that his vision to be of service, his design to be practicable, must be conditioned by the limits of what is, and what is possible, which the scientist or the engineer may determine.

There is little use dreaming of lakes in a land where the water supply available does not equal the evaporation.

## A BI-PRODUCT OF GOOD HOUSING

### AN INCREASED BIRTH RATE

Recent dispatches from England indicate that the British birth rate is rising for the first time in 8 years. As the rate for 1927 was the lowest on record, the fact that this decline in population has been arrested has great importance for Great Britain. It is stated that the reason for the increase in the rate is largely due to the increase in housing accommodations. At any rate it comes at a time when England has made up her housing shortage, and is building new dwellings at the rate of 200,000 a year.

### RURAL HOUSING IN THE UNITED STATES

The problem of housing agricultural workers cannot be separated from correlated problems of farm management and related factors that affect the economic status of the farmer. The solution of these correlated problems belongs to specialists other than the housing engineer.

In the United States, housing betterment programmes must be diversified because of varied conditions in different sections of the country. There are wide areas of rural slums as acute in character as urban slums. Cross section studies of rural housing show poorly designed and primitive dwellings, dilapidated structures, inadequate sanitary conveniences, insufficient provision in dwellings for light and ventilation, and general nuisances arising from insanitary practices and room overcrowding. County planning is seldom practiced. Agricultural villages, once common, have practically disappeared.

State law to control insanitation and structural hazards in rural areas is conspicuously absent.

However, the general average of farm property, as determined by acreage, value, free ownership, size of dwellings and occupancy, shows a capacity to provide adequate sanitary housing for normal

living. Ignorance of the importance of good housing is the outstanding handicap. Where sub-normal housing is found, there is comparatively little difference between the houses provided for owner-operators, tenant-operators, and hired help. The conspicuous difference is between provisions for these groups and for transient workers.

Various private agencies and governmental bureaus are promoting programmes to reduce the economic hazards of farming. Housing betterment is a by-product of their activities. Similar groups are applying themselves directly to housing betterment. In general, the programme of these groups includes:

1. Specific surveys of selected areas and wide publicity of the findings as a means to educate the public to a realisation of conditions and to expedite the adoption of corrective programmes.
2. The promulgation of legal standards for structural safety and sanitary occupancy.
3. The design and erection of dwellings suitable to the needs of different classes of farm workers: (A) to house farm laborers separate from the farmer's family, (B) to house tenant families, (C) to house owner-operators.
4. The design and erection of camp and bunk houses for transient workers.
5. The creation of credit associations and Farm Loan Banks to secure low cost money for farm betterment.

Governmental bureaus are experimenting with agricultural villages for small farm allotments and for allotments in contiguous sites for farm laborers, with camp site development for transient workers. Farm allotments are of doubtful expediency as a solution to the problem. They are beneficial as examples of what can be accomplished by co-operative action in areas where small farms are segregated.

The greatest accomplishment in improved rural housing will follow a comprehensive educational programme supplemented by a credit system with long time repayment of funds advanced for renovation and new construction of dwellings.

BERNARD J. NEWMAN  
Philadelphia

## GOOD HOMES AND GOOD WORKMEN

James J. Davis, Secretary of Labor of the United States, holds strongly the view that the American workingman has decided leanings toward architectural beauty.

Not long ago upon the occasion of a great architectural exhibition in New York, he had the following to say with regard to the influence of beauty and of good homes upon the average workingman.



Having been a workingman himself for most of his life, Secretary Davis is in a position to speak with authority. On this occasion he said:

We have built the richest and most vigorous nation in the world on what, 300 years ago, was a trackless wilderness. Everything we have or are has had to be built. Primarily, our chief interest still is in the building of material and practical things—the factories that make our wealth, the offices where this is handled and the homes we live in. But we long ago evinced an instinct for making these as beautiful and artistic as might be. The leaders in the architects' profession are wisely giving this instinct proper expression and guidance.

#### WORKERS HAVE FINE HOMES

In no other country is the worker such a lover of building and owning homes. I believe, too, no other worker outdoes the American in a love of comfort, beauty and refinement in his home. He is, to begin with, born with this love which is native to us all. His daily work, in building fine things for others, fills him with a desire for the same fine things for himself. In this prosperous country the worker is generally able to afford these things. The result is that in no other country will you find so many workers housed in homes that are not only equipped with all the fittings once reserved for the rich, but that are designed with grace and charm.

The American worker is quick to see beauty, wherever it is. He is just as quick to demand it for himself. And he has the means to back his demands. Certainly the artistic sense of a people is not to be despaired of when its artisans are artists. I regard this duty of satisfying our workers' sense of fitness and beauty, in the proper designing of their homes, as one of the highest duties the architect of today can perform.

I wonder, too, if architects would be surprised at the political and social good they can do in providing for workers' homes of the same good taste and beauty, though on a more modest scale, as they design for the richer patron? Beauty should be not the prize of any class, but the possession of all.

#### GOOD HOMES MAKE GOOD WORKMEN

I wonder how much a good home makes a good workman of the man who lives within it? I know from my own observation that the man willing to live in a slovenly home is a slovenly workman. I have seen such a man transformed by moving into better surroundings. His self-respect never fails to rise to the conditions about him. He becomes not only a better workman but a better citizen.

I believe that much of our freedom from political discontent comes of the fact that while many of our homes are finer than the majority of Americans can afford, yet all American homes are alike in the comfort and charm they provide for us all. So any movement that architects may make to improve the design and the comfort of houses for workers will make far more than a simple addition toward beautifying their country. They will make a solid contribution to its social, political and industrial stability.

I say industrial stability because I believe that much of the peace and good-will that reigns at present in our industries, and that accounts in such great measure for our prosperity, is born of the American worker's contentment with his home surroundings and life. You find this reflected in the better state that reigns especially in the building trades.

I hope the coming exposition will be especially rich in suggestions for further improvement in workers' homes. Give the workers the homes they want and you have nearly housed the nation, for the workers far outnumber all others. I hope the architects of America will strive always to add to the vast progress already made in this direction.

I know that the wise business men who direct our industries long ago saw the practical good, to themselves and to their employes, where their workers' home conditions were satisfactory. Many of these industrial leaders devote time and money to this important business of helping their workers to obtain happy and comfortable homes.

## PITY THE POOR WORKING GIRL!

Miss Cornelia E. Marshall, President of the Association to Promote Proper Housing for Girls of New York, who has done such splendid work in providing attractive, clean and comfortable housing in New York city for the unattached woman worker, raises the question in the Annual Report of her Association as to how much money a working girl—and the term is a broad one embracing stenographers as well as factory workers—can afford to pay for her lodging, and at the same time keep up with the other necessary expenses of living, especially that all important item, clothes.

It is about that item that controversy rages. The National Industrial Conference Board, as a result of a series of studies made by it throughout the country gives the average minimum cost of clothing for one year for a single woman office worker as \$106.77.

Miss Marshall assumes the case of the girl who is earning \$20 a week. If she is fortunate enough to find a decent furnished room, having heat and outside light for the small sum of \$7 a week and pays \$10 a week for her food, with the \$3 a week that remains (\$156 a year) she must pay for her clothing, carfare, doctors' bills and the rest. Taking the figures cited by the National Industrial Conference Board of \$106.77 as being sufficient for clothes for such a worker, Miss Marshall points out that this leaves the small sum of \$59.23 for carfares, doctors, and dentists, not to say recreation, nor does she mention those miscellaneous expenditures which are the despair of every family budget.

Miss Marshall vigorously challenges the figures of the National Industrial Conference Board. According to knowledge and experience, gained from the girls who have lived in her houses—and they have been carrying on their work now for 15 years—the clothing cost cannot be less than \$200 a year. Miss Marshall points out the necessity of girls these days presenting a smart appearance. This is even more essential than their being good office workers. They can be taught the latter but cannot achieve the former, if they have not the wherewithal. Miss Marshall very pungently says that no girl can look smart if she wears one \$15 suit for 2 years, as the National Industrial Conference Board would have her do.

Very interesting facts are brought out in this little Report. 18.5% of the applicants at their Bureau of Rooming and Boarding houses are earning less than \$18 a week and 45% are earning less than \$25 a week.

Miss Marshall suggests that if funds are provided, the Association will be glad to take another old house, remodel it as may be necessary, and make it a center of healthful life, as they have done with the houses they now control, renting rooms to girls in this new building for \$5 a week.

Miss Marshall does not believe in subsidizing wages. She rightly recognizes that renting rooms to girls at too low a rate has that effect. To prevent this danger, her rooms will be rented to applicants according to the wages they receive. Any girl whose salary is raised above \$20 a week, must automatically give place to a newcomer who is earning \$20 a week or less, and no room will be rented for more than two years to any girl, since that period should either bring advanced pay if the work is good, or else show that the girl is not capable for the job and should seek another one, or return to her home.

Here is an opportunity for a public spirited philanthropist, not only to aid a worthy cause but very distinctly to advance the cause of housing for the woman worker who is living alone, and not with her family. The very small guarantee fund of \$10,000 is all that is needed, according to Miss Marshall, to start this work.

Who will give it?

## THE ACID TEST FOR CITY PLANNING AND ZONING

Acting under a grant received from Harvard University Henry V. Hubbard and Theodora Kimball Hubbard are about to apply the acid test to the City Planning and Zoning movement.

Asked to describe for these columns the method that was to be employed, Mr. Hubbard had the following to say:

We certainly intend to make some kind of an acid test. Just how acidulous, not to say vitriolic, we shall be remains to be seen. We certainly do not intend to waste anybody's money in making out time-wasting questionnaires for other people to fill out, without any particular regard as to what they put into the questionnaire. We expect to really sit down and "dope" out what kind of things are being experimented with, what kind of unbaked preliminary knowledge is floating about, not yet codified, and how to get hold of it in such a way that it can be put into usable form for people who are really going to do something with it; rather than spin theories or clutter up dusty bookshelves. The first thing is to "dope" out what you hope to discover. The second is to set down some kind of a flexible method of discovering it. The third thing is to send a real man with some real brains and flexibility into the field to actually go and get it and lug it home with him. This seems to be about all we can say at the present time.



From this it is quite evident that a very real service is about to be rendered to both the cause of City Planning and Zoning. We have had quantity production in these fields, especially in the zoning field, now for some time. The time has more than come when we should have a qualitative analysis.

We shall be interested to see how the city planning and zoning movements emerge from a Hubbard squash!

## BOARDS OF APPEALS IN ZONING

The weakest point in the administration of zoning laws today is the Board of Zoning Appeals, or Board of Adjustment as it is more properly called in a number of states.

In the earlier stages of the zoning movement it was thought necessary by many advocates of zoning to constitute such boards with very broad powers, to deal with exceptional cases and to prevent constant recourse to the courts, thus acting as a safety valve. Without such powers, in the opinion of many, there would have resulted so many adverse decisions that zoning would have seemed not to have been upheld by the courts.

Now that zoning has become firmly established, from the point of view of its legal validity, it would seem as if the time has come when there should be very serious consideration given to this question of Boards of Zoning Appeals, and whether their powers should not be more clearly and definitely limited than they have been in the past.

Even such limitations as have been imposed in most zoning laws have been brushed aside ruthlessly and disregarded by many Boards of Appeals, and many decisions have been handed down by our highest courts in a number of states, pointing out the lawless acts of these Boards and excoriating them for their arbitrary assumption of powers that they do not possess.

All persons who are interested in this important subject will find valuable material in a bulletin issued by the Massachusetts Federation of Planning Boards in June 1927, known as Bulletin No. 21, and entitled "Zoning Appeals". This bulletin contains an article on "Zoning Administration" by Edward T. Hartman of the Town Planning Department of the State of Massachusetts; "The Intent and Purpose of Zoning" by Philip Nichols, the eminent Massachusetts authority on taxation and eminent domain; and a discussion of the vexed question of "Practical Difficulty or Unnecessary Hardship"—that vague and indefinite ground on which the powers of Zoning Boards of Appeals are so largely based—by Lincoln Bryant; and a further discussion of the

“Relations between the Appellant and the Community” by Harold C. Haskell.

We commend this discussion of this important question to our readers.

## FIRST AID TO CITY PLANNING

### THE STANDARD CITY PLANNING ACT

While the City Planning movement in America has made extraordinary progress in the past 20 years, as the review of that progress made by John Nolen at the meeting of the National City Planning Conference in Washington a year ago showed,\* there is no doubt that future progress in this movement will be very greatly aided and accelerated by the service which the Advisory Committee on City Planning and Zoning of the U. S. Department of Commerce has rendered to the cause of City Planning in the preparation of a Standard City Planning Enabling Act, in this respect following the path which it trod some years ago in preparing a similar Standard Zoning Enabling Act for the country, which has proved of the very greatest value and aid to the cause of Zoning.

The Act in question was prepared by a Sub-Committee, headed by Lawrence Veiller of which the other members were Alfred Bettman and Morris Knowles.

After two years of work a preliminary edition of a proposed Standard City Planning Enabling Act was made public in February 1927. This has been widely circulated for purposes of receiving the study, criticism and comments of persons interested in the subject, and, especially, of those city planners whose large experience would add greatly to the value of this document.

Although the act in this form was necessarily tentative—and recognizedly so—the Standard Act, even in this preliminary form, has already proved its value and many states have already used it as the basis for legislation.

The Act is a complete one and deals with the four main divisions of the field as follows:

Municipal Planning and Planning Commissions  
Sub-Division Control  
Buildings in the Bed of Mapped Streets  
Regional Planning and Planning Commissions

The Act heretofore has been issued only in multigraphed form, but a new and definitive edition is soon to be issued in printed form. Fol-

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\* See *Housing Betterment*, December, 1927, p. 349.

lowing the precedent of the Standard Zoning Enabling Act, very copious foot notes explanatory of the purposes of the various provisions, commenting on the terms used in the Act and giving reasons for certain decisions will be found appended.

The first part of the Act, dealing with Municipal Planning and Planning Commissions, contains 10 sections dealing with the following subjects:

Grant of Power to Municipalities, Personnel of the Commission, Organization and Rules, Staff and Finances, Powers and Duties, Purposes in View, Procedure of Commission, Legal Status of Official Plan, Miscellaneous Powers and Duties, and Zoning.

Many of the moot questions which have been the subject of discussion among city planners for years, have necessarily had to be settled one way or another by the framers of the Standard Act. Among these is the much discussed question of whether City Planning Commissions should be purely advisory or should be given large powers. The framers of the Standard Act decided for the grant of large powers and make the City Planning Commission an effective part of the city government. A word may not be amiss as to the personnel of the local City Planning Commission. It is suggested that as a rule it should consist of 9 members and that there should be on it the Mayor, one of the administrative officials of the City Government such as the Commissioner of Public Works or similar person, to be selected by the Mayor, and a member of the City Council or similar legislative body. In addition to these 3 ex-officio members there are to be 6 citizens appointed by the Mayor; all members of the Commission are to serve without pay. The appointive members are removable by the appointing power after a public hearing, for inefficiency, neglect of duty or malfeasance in office—but not otherwise.

The Commission is empowered not only to appoint a necessary staff but also to contract with city planners, engineers, architects and other consultants for such expert services as they may require. This is an important provision and not heretofore encountered.

### NO EMPTY POWERS

So important is the statement of the powers and duties of the Commission that we quote it here verbatim:

#### GENERAL POWERS AND DUTIES

It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the municipality, including any areas outside of its boundaries which, in the commission's judgment, bears relation to the planning of such municipality. Such plan, with the accompanying maps, plats,



charts, and descriptive matter, shall show the commission's recommendations for the development of said territory, including, among other things, the general location, character and extent of streets, viaducts, subways, bridges, waterways, water fronts, boulevards, parkways, playgrounds, squares, parks, aviation field and other public ways, grounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities or terminals; as well as a zoning plan for the control of the height, area, bulk, location and use of buildings and premises. The commission may from time to time adopt and publish a part of the plan covering one or more major sections or divisions of the municipality or one or more of the aforesaid or other subjects-matter. The commission may from time to time amend, extend or add to the plan.

It is thus seen that the Commission is given full power to really make a comprehensive master plan of the community and to see that it is carried out.

Provision is made that before adopting the master plan public hearings shall be held with reference to it after due notice of the fact; and the plan can only be adopted by the affirmative vote of 6 members of the Commission.

#### NO IMPROVEMENTS WITHOUT COMMISSION'S APPROVAL

That the Act has teeth in it, and that the City Planning Commission is no mere advisory body but one entrusted with vast powers, is shown by the provision in the Enabling Act to the effect that "whenever the Commission shall have adopted the master plan of the municipality or any major section or district thereof, no street, square, park or other public way, ground or open space, or public building or structure, or public utility whether publicly or privately owned, shall be constructed or authorized in the municipality or in such planned section and district until the location, character and extent thereof shall have been submitted to and approved by the Commission".

It is provided further that if the Commission shall disapprove any such proposal, it shall communicate its reasons to Council, which shall have power to over-rule its action by a recorded vote of not less than two-thirds of its entire membership. In order that important public improvements may not be held up, the Act contains a provision that a failure of the Commission to act upon a definite project before it within 60 days from its submission, shall be deemed an approval.

One of the interesting features of the Act is the specific authorization to the Commission to promote public interest in the understanding of the plan and to carry on an educational campaign, using such means

of publicity and education as it may determine. Cooperation of all other public officials with the Commission is required by law.

With regard to Zoning, the Act contemplates that the City Planning Commission, when appointed, shall take over the work of any Zoning Commission that may exist, and, where no Zoning Commission has yet been appointed, that it shall be given full zoning powers.

#### SUB-DIVISION CONTROL

What is probably the most important feature of the Standard Enabling Act is the chapter dealing with the control of sub-divisions. Here is to be found a broad enactment, vesting in local authorities the power to control sub-divisions and to lay down rules and regulations with regard to the sub-dividing of land. The Act rightly recognizes, at the very start, that if there is to be a harmonious and intelligent development of our cities, power must be given to the city to plan the territory, not only within the city boundaries, but for a considerable distance outside of its corporate limits. Consequently, the Act provides that the jurisdiction of the Commission with regard to sub-division control shall apply to all land lying within 5 miles of the corporate limits of the municipality, and not located in any other municipality.

This distance of 5 miles is fixed for purposes of the statute, but a note explains that in those states where they wish to extend this jurisdiction or reduce it in area, it is entirely feasible to do so by changing the distance.

The control of sub-divisions does not become effective, however, until the Planning Commission shall have adopted a major street plan, and shall have filed a certified copy of such plan in the proper public offices. After this has been done, then no plat of a sub-division of land within the territory in question shall be filed or recorded until it shall have been approved by the Planning Commission.

An admirable provision is found in the requirement that before exercising its powers to control sub-divisions the City Planning Commission shall adopt general regulations governing the sub-division of land within its jurisdiction. These regulations may provide for "the proper arrangement of streets in relation to other existing and planned streets and to the master plan, for adequate and convenient open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light and air, and for the avoidance of congestion of population, including minimum width and area of lots."

One very important feature of these regulations is the power granted to the Planning Commission to include provisions as to the

extent to which streets and other ways shall be graded and improved, and to which water and sewer and other utility mains, piping or other facilities shall be installed, as a condition precedent to the approval of the plat.

In lieu of the completion of improvements and utilities of this kind prior to the final approval of the plat, the Commission is empowered to accept a bond with surety to insure to the municipality the actual construction and installation of such improvements and utilities at a time and according to specifications fixed by the Commission, and the municipality is granted the power to enforce such a bond. It is required that its regulations shall be published.

In order that a sub-divider may not be kept guessing, the Act provides that the Commission shall act within 30 days after the submission of a plat to it and that, failing to so act, the plat shall be deemed to have been approved. Where a plat is disapproved the grounds of such disapproval must be stated upon the records of the Commission. Penalties are provided for transferring lots in unapproved sub-divisions, and a County Recorder who files or records the plat of a subdivision without the approval of the Planning Commission is deemed guilty of a misdemeanor and may be fined not less than \$100 nor more than \$500.

One of the most important provisions of the Act is that provision which prohibits the municipality from accepting, laying out, opening, improving, grading, paving or lighting any street or from laying water mains or sewers or connections in any streets, or in any portion of the territory for which the Planning Commission shall have adopted a major street plan, unless such street shall be accepted or opened or have the legal status of a public street prior to the adoption of the plan, or unless it corresponds with a street shown on the official master plan, or with a street on a sub-division plat approved by the Planning Commission, or with the street on a street plat made by and adopted by the Commission.

#### BUILDINGS PROHIBITED IN UNAPPROVED SUB-DIVISIONS

What will probably prove the most effective instrument placed in the hands of the City Planning Commission to prevent adverse and unapproved developments, is the requirement that is found in the Act—for the first time in any statute, we believe—prohibiting the erection of buildings unless the street giving access to the lot upon which such building is proposed to be placed is approved by the Commission.



## BUILDINGS IN THE BED OF MAPPED STREETS

The third part of the Standard Act deals with that very difficult question of Buildings in the Bed of Mapped Streets, a question which heretofore has baffled the ingenuity of city officials and city planners generally.

Frankly admitting that they are embarking upon an uncharted sea, the framers of the Standard Act place before the American people two methods of preventing building in the bed of mapped streets. One of these methods is designated as the Massachusetts method, because it has largely been devised by Philip Nichols, an eminent authority on the law of eminent domain and taxation in that state; the other is known as the New York method and was devised largely by Edward M. Bassett and was enacted into law in New York in 1926.

The Massachusetts method, so-called, proceeds on the basis of eminent domain and on the principle of compensation for property taken or for use of property taken. Whereas, the New York method, more frequently described as proceeding by exercise of police power, proceeds upon the basis of allowing to Boards of Appeals the right to determine the character of the buildings that may be built in the bed of mapped streets, hoping that through the broad discretionary power thus vested in such boards, buildings of considerable value will not be erected and that, therefore, punitive damages will not have to be paid by the municipality when it ultimately opens the street, which it has heretofore only mapped.

The Standard Act embodies in its text the Massachusetts method of procedure by eminent domain but gives the full text of the New York method for those who may wish to employ it.

### THE MASSACHUSETTS PLAN

Putting it broadly, the scheme adopted by the Hoover Committee recognizes the fundamental constitutional principle that, where there is a taking of private property for public use, the owner shall be fully compensated. This plan permits the owner to build on his land freely. If, however, he builds in the bed of a mapped street he can get no compensation for such a building when the land is finally taken; but he has the full use of his land up to that time which may be 20 years, or even more. And he is fully compensated for the amount he may be damaged by this fact. A legal and equitable method of determining the extent to which he is damaged is provided. The city is protected by the fact that

if claims for such damages become excessive it can abandon the proposed street reservation.

While it is true that no plan of this kind has heretofore been tried in this country in connection with the development of a street plan, the idea is based upon the experience of Massachusetts in establishing setback building lines, where similar methods have been employed with great success. Massachusetts' experience in dealing with this problem has been that substantial damages seldom are found to exist, and that, when extravagant claims are made and the authorities give notice that the scheme will be abandoned because of these claims, the claims either are withdrawn or so modified that they become within reason.

The plan included in this document is based upon the Massachusetts plan, slightly modified to suit the conditions and the legal practice in other states. In one respect this plan differs from the Massachusetts scheme in that the plan as outlined here does not prohibit the erection of buildings in the bed of mapped streets, but relies upon the fact that no damages can be awarded for buildings placed in such locations after the street reservation has been adopted. Otherwise, the plan is substantially the Massachusetts plan with minor modifications.

The framers of the Standard Act, weighing carefully the various elements involved in these two divergent plans, viz. the New York plan and the Massachusetts plan, reached the conclusion that as there had been neither experience nor judicial decisions upon which to base a decision as to which is the most practical or the better method legally, it was the part of wisdom that the legislation to be recommended to other states should adhere to the method of eminent domain, as this principle is soundly established—from the legal point of view at any rate—until the success of the New York method has been demonstrated in practice.

#### REGIONAL PLANNING

When it comes to the field of Regional Planning legislation, the framers of the Standard Act recognize that it is largely an unknown field and that whatever they did was necessarily, to greater or lesser extent experimental.

Probably the most difficult question to decide was how to get Regional Planning going—how to get it started. Two different schemes have been considered by the framers of the Standard Act and both have been included, so that a State enacting this legislation may have an opportunity of weighing the relative advantages of both methods and selecting the one which they prefer. One of these provides for the appointment by the Governor of a Regional Planning Commission—

upon the petition of the Planning Commission of any municipality, or of the County Commissioners, or by any 100 citizens of the state—for the establishment of a Region for planning purposes, and the appointment of a Regional Planning Commission for such Region.

The Governor is required to hold a public hearing upon such a petition and, if he finds for reasons set down in the Act, that it is to the public interest that a Region be established for planning purposes, he shall grant the application and define the boundaries of such Region and appoint a Regional Planning Commission.

The other method, which is designated as the Cooperative Method, empowers Planning Commissioners of one or more municipalities, together with County Commissioners of the counties in which the municipalities are located, or of any adjoining county, to join together and create a Regional Planning Commission, for the making of a regional plan for the Region, defined as may be agreed upon by the parties in interest. This method, as will be seen, follows more closely the English method of constituting Regional Planning Commissions.

The Regional Planning Commission to be appointed by the Governor is to consist of 9 persons and follows very closely the method of appointment provided for Municipal Planning Commissions. The Commissioners are removable by the Governor for cause and he may fill vacancies. The provisions of the Act relative to the organization, rules, staff, finances, procedure, miscellaneous powers and duties of Municipal Planning Commissions are made to apply, so far as practicable, to Regional Planning Commissions.

The powers and duties of Regional Planning Commissions are stated with great precision, and with care not to invade the field occupied by local planning commissions. It is the job of the Regional Planning Commission to make, adopt, amend, extend and add to a master regional plan for the physical development of its Region.

Such plans are to be based on comprehensive studies of the present and future development of the Region with due regard to its relation to neighboring Regions and the state as a whole and to neighboring states.

In all its work, however, the Regional Planning Commission must consider only matters which affect the development of the Region as a *whole*, or which affect more than one political sub-division of the state within the Region.

It will be seen from the foregoing summary that the Standard City Planning Act is a broad and comprehensive statute, and that, while it undoubtedly can be perfected and improved as experience in this field develops, it marks a very striking starting point for the further development of the City Planning movement in the United States.



## TOWN PLANNING AS IT IS DONE IN ENGLAND

Somewhat analogous to the Standard City Planning Enabling Act we have just discussed, is the compilation prepared by the Ministry of Health in England in 1926 on the subject of Town Planning and known as "Model Clauses for Use in the Preparation of Schemes". This is a series of legal regulations governing the details of the development of Town Planning in England. The Model Clauses are drafted for use by local authorities who are planning an area within their own district and would need to be adapted and supplemented in the case of a scheme prepared by a local authority for an area outside of its district, or a scheme prepared by several authorities jointly.

These Model Clauses deal with the following elements of a Town Planning Scheme:

Streets, Buildings and Building Lines, Reservation of Lands, General Convenience and Amenity.

As indicative of the nature of the subject and the method of dealing with it, in connection with the consideration of streets as they enter into town planning schemes, the subject is considered from the following points of view:

Construction of New Streets, Reservation of Sites of Main Thoroughfares and Widenings, Declaration of Sites of Main Thoroughfares and Widenings to be Streets, Cost of Construction of Streets, Declared Streets the whole cost of which the Authority are to bear, Declared Streets to the cost of which Owners are to contribute, Procedure where the Authority purchase the Site of a Street, Construction by Stages, Special Provisions as to Widenings, Construction of Streets by Owners, Provision for Reserving Land for Additional Streets, Other Provisions as to Streets, Compensation and Betterment, and Appeals.

On the subject of Buildings and Building Lines, the following topics are dealt with:

Density and Character Zoning, Density, Plot Plans, Variation of Land Units and Plot Plans, Density Standards, Character, Determination of Predominant and Subsidiary Uses in Zones, Modified Control in Areas not Ripe for Early Development, Method of Imposing Restrictions, Types of Zone, Supplementary Zoning, Supplementary Zoning Orders and Sterilisation of Land, Height of Buildings, Space about Buildings, Building Lines.

The provisions with regard to General Convenience and Amenity deal with the preservation of trees, the regulation of advertisements and the maintenance of private gardens and private open spaces.

Probably no more interesting exposition of the different methods that are in vogue in these two countries could be had than by a study of these two strikingly contrasting documents. We commend such a study to our readers. The English compilation, bearing the title as given, can be obtained at H. M. Stationery Office, Adastral House, Kingsway, London, W. C. 2. Price 1 shilling, net.

## SUPER-HIGHWAYS IN THE AIR

### “AERIAL RIGHTS”

We have recently referred\* to the ambitious plan that has been suggested to the Chicago City Plan Commission for a 10 mile Super-Highway built above existing streets, and, for some of its distance, above the tracks of one of the great railroads that enter that city.

Chicago is not the only city where such schemes are being considered. The authorities of its neighbor St. Paul have now before them a most ambitious and interesting project, submitted by a firm of consulting municipal engineers, which contemplates the building of an arterial highway 100 feet in width, using the “air rights” over the railroad yards and tracks for a distance of nearly 2 miles around the business section of St. Paul.

One of the ingenious and novel features of this scheme is that combined with this highway and underneath it there is to be a vast public garage, providing storage space for 3000 cars, easily available to the business district. Access to these parking spaces will be by means of ramps from 11 street intersections. It is believed that this will give an ideal condition for parking, in view of the fact that the space is covered and thus protected from the weather.

The plan for this development of that portion of St. Paul’s business section contemplates an inner or local drive for business, fronting the north side of the highway. The south side of the highway abuts on the river and will give a beautiful shore drive with a splendid unobstructed view of the river and other environs of St. Paul. One feature of the drive, which we think the designers will come to view as a mistake, is a 2-track street car system with connections at intersections. The outer drive will be a through arterial highway connecting the state and federal highway systems from the north and east directly to the highway systems of the south and west.

It is stated that the property now abutting the railroad tracks is of comparatively little value. It is expected that the building of this highway will make it among the most valuable real estate in St. Paul. It is also expected that the building of the highway will bring with it the development of a civic center; and it is suggested that a new proposed City and County Hall should be built there to face it.

Anticipating future needs, the plan has been developed so that this highway may be partly or fully decked over for a landing place for airplanes, 150 feet wide by 1 mile or more in length with hangars

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\* See *Housing*, June, 1928, p. 151.

and other facilities for air travel. The promoters of the scheme state that the parking space, alone, with a charge of 25 cents per car per day will more than carry the interest on the investment in the structure, the cost of which is estimated at \$6,000,000.

One of the interesting features of this scheme, in fact *the* interesting feature, is the building over the "air rights" of the railroads. Presumably, the legal aspects of this question have been gone into thoroughly, but we are frankly somewhat puzzled to see how the city can do this, without confiscating the railroads' rights. For, such an elevated street, practically 3-stories in height, as the plans show, would have to rest upon something; and it would seem as if the railroad company—unless they have only secured a right of way—might raise the issue that it is resting upon their land and that they must be compensated for that privilege.

They may also view with some concern the proposal to park in these garages interurban motor busses and trucks which may prove to be doing business in competition with the very railroad over whose land the garage is located.

These proposals both in Chicago and St. Paul to use "aerial rights" over railroad tracks seem to us fraught with many legal difficulties. At any rate, they raise interesting questions both for city planners and for lawyers. The development of this scheme will be awaited with great interest.

## HOW LARGE SHOULD BUSINESS DISTRICTS BE?

One of the aspects of zoning which heretofore has not had sufficient scientific attention, but has been determined too much by rule of thumb and by existing practice, is the establishment of retail business or commercial districts in most zoning schemes.

At the National City Planning Conference in Washington a year ago John Ihlder pointed out that in most zoning schemes too much space is allotted to such districts, due largely to the fact that zoners have felt that the only use they could assign to property that borders a leading thoroughfare or highway, which is generally occupied by trolley tracks and much heavy traffic, was to allot it to retail business.

The National Capital Park and Planning Commission in its Report for 1927, following this caution, issued a warning about the danger of too much zoning of this kind and of establishing commercial districts in too great quantities, stating that commercial areas in Washington will be 4 times as large as necessary for the anticipated population, if the tendency to zone for commercial purposes the property fronting on



streets used as major thoroughfares should receive the definite approval of the Zoning Commission.

It is only recently, however, that any scientific approach to this problem has been had. The Chicago Regional Planning Association in the Summer of 1926 undertook an inquiry into this subject, and began a study of the retail business frontages actually used by the different cities and villages within the Chicago Metropolitan Region, in an endeavor to find out how much business property should be platted in sub-divisions and zoned for commercial use.

Believing that there is a definite relationship between population and the amount of business property actually in use, the Chicago Regional Planning Association set itself to find out what that relationship is. Accordingly, actual measurements were made in 40 cities and villages in the Chicago Region to determine the facts. Thirty-two (32) of the communities measured were medium sized suburbs, both residential and industrial, in varying directions and distances from Chicago. Eight (8) larger cities were added, Evanston, a residential city directly adjoining Chicago, Kenosha, Chicago Heights, Aurora, Elgin, Joliet, Gary and Michigan City—industrial communities from 30 to 57 miles away.

The measurements were made over a period of more than a year, 19 communities having been measured in the summer and fall of 1926 and the remainder in the summer of 1927. At each place exact measurements were made of the ground floor store-frontage actually in use, and the number of stores was recorded in 15 main classifications. Municipal and federal buildings were omitted, population was estimated from reliable and authoritative sources.

These cities, roughly within a 50-mile radius of Chicago, were located in all the main directions of suburban growth. They included purely residential villages and industrial towns, and ranged in size from 3500 to 52,700 population. Their age and rate of growth varied considerably, but only communities which were undoubtedly established and on a "going" basis were used in this study. Vacant stores were not measured, because the purpose was to find the amount of frontage demanded by the community and not the amount placed on the market, more or less in anticipation of future demand.

The conclusions reached from this study by the Chicago Regional Planning Association may be stated as follows:

Approximately 50 feet of business property are in use by every 100 people in the 40 cities and villages measured.

The character of the community, industrial or residential, has little effect on the amount of business frontage in use.

The size of the community makes little or no difference in the relation between population and business frontage.

Generally, the greater the distance from Chicago in miles and minutes, the greater is the amount of business frontage per 100 people.

The Regional Planning Association recommends as a result of this study that sub-dividers and zoning authorities adopt the module of 50 front feet of business for each 100 of expected population as a basis for platting and zoning business property.

City planners who desire to study this subject in detail will be able to obtain from the Chicago Regional Planning Association, Burnham Building, Chicago, blue prints showing the results of this inquiry in tabular form.

## HEXAGONAL BLOCKS FOR RESIDENTIAL DISTRICTS

Those who have followed with interest the novel and interesting suggestions made several years ago by Noulan Cauchon, the distinguished Canadian Town Planner, for the use of Hexagonal blocks in place of the gridiron plan in residential communities are now enabled to have his presentation of this idea in its final form and with the benefit of the discussions that were had with reference to it, when presented at a joint meeting of the American Society of Civil Engineers and the City Planning group, held in New York in January 1926.

Mr. Cauchon's plan with discussions by John Nolen, E. P. Goodrich, Lawrence Veiller and George B. Ford has now been published in the form of a reprint from the Proceedings of that Conference and may be obtained upon application to the American Society of Civil Engineers at 37 West 39th Street, New York City, by asking for a copy of Paper No. 1646.

## AMERICA'S FIRST ZONING LAW

Every city that has taken up zoning likes to claim credit for having been the first to embark upon this progressive movement. Many claims have been advanced. California claims the first Use zoning law. On the other hand, Boston with its height regulation law which divided the city into two Height zones or districts claims to have been the forerunner of the zoning movement, while New York City, because it adopted the first comprehensive zoning law in the United States, considers itself the father of zoning.

Now along comes Edward T. Hartman, Zoning Consultant in the Division of Housing and Town Planning of the State of Massachusetts,

and points out that the first zoning law in this country was enacted in Massachusetts in the Province Laws of 1692-3, (Chapter 23, Section I). The text of this law is as follows:

Sec. 1. That the selectmen of the towns of Boston, Salem and Charlestown respectively, or other market towns in the province, with two or more justices of the peace dwelling in the town, or two of the next justices in the county, shall at or before the last day of March, one thousand six hundred ninety-three, assign some certain places in each of said towns (where it may be least offensive) for the erecting or setting up of slaughter-houses for the killing of all meat, still-houses, and houses for trying of tallow and currying of leather (which houses may be erected of timber, the law referring to building with brick or stone notwithstanding), and shall cause an entry to be made in the town-book of what places shall be by them so assigned, and make known the same by posting it up in some publick places of the town; at which houses and places respectively, and no other, all butchers and slaughter-men, distillers, chandlers and curriers shall exercise and practice their respective trades and mysteries; on pain that any butcher or slaughter-man transgressing this act by killing of meat in any other place, for conviction thereof before one or more justices of the peace, shall forfeit and pay the sum of twenty shillings; and any distiller, chandler or currier offending against this act, for every conviction thereof before their majesties' justices at the general session of the peace for the county, shall forfeit and pay the sum of five pounds: one-third part of said forfeitures to be to the use of their majesties for the support of the government of the province and the incident charges thereof, one-third to the poor of the town where such offense shall be committed, and the other third to him or them that shall inform and sue for the same.

It may be that there are earlier enactments still to be found but we think that Mr. Hartman has achieved the rare, and, we are sure, gratifying, result of proving that Massachusetts was the first to see the light—as it has so often been in many other phases of human endeavor.

### “ZONE BEFORE YOU LOAN”

Is the new slogan that has just been evolved for financial institutions lending money on building developments. It is an excellent test of the soundness of a financial institution whether they do zone before they loan.

### “LANDSCAPE ARCHITECTURE”\*

#### LETTERS OF A CHILD

This volume of 275 pages was written by Stephen Child and embodies 30 years of his experience in the professional practice of Landscape Architecture. The topics are treated in the form of letters addressed to clients and include a discussion of the grounds of homes, private gardens, hotels, neighborhoods, villages, small parks and playgrounds. Mr. Child's experience in City Planning also enables him to discuss plans for parks in large cities, including systems of city parks

\* *Landscape Architecture*, by Stephen Child. Stanford University Press, Stanford University, California. 275 pp.; price \$6, postpaid.



together with metropolitan open spaces. The book is illustrated with over two dozen plates and line cuts. The letters are distinctly interesting and are valuable to students, owners of land, officials interested in parks and city planning and to Landscape Architects. The text is readable and Mr. Child's point of view is always thoughtful. His point of view is that of a designer with an unusual sympathy for natural landscape.

ARTHUR A. SHURTLEFF  
Boston

## REGIONIZING THE REGIONAL PLANNERS

Someone has said that Americans have a genius for organization. We go further than that and say they have a passion for organization. It is a standing jest that no week passes in New York that some new national organization is not formed.

Apparently seeking fresh fields to conquer the Regional Planners, the men actively engaged in Regional Planning, in the regions around our great cities and throughout the country have decided to come together in a somewhat loose organization, sponsored by the American Civic Association. A new Regional Planning Committee of that organization was formed in Washington last March headed by Thomas Adams of New York. It was decided to hold 2 meetings a year of this group, each time in a different region. The members of the Committee are to be largely representatives from groups actually engaged in Regional Planning together with a few others acting in an advisory capacity. The Committee, it is expected, will meet in October as the guest of the Niagara Frontier Planning Board.

It is understood that there is no thought in the formation of this Committee of paralleling or duplicating the work of the American City Planning Institute or the National City Planning Conference but merely to afford an opportunity for those engaged in Regional Planning to get together in informal fashion at stated intervals for the discussion of their joint problems.

## CALIFORNIA TAKES THE LEAD

### HER NEW CITY PLANNING ACT

California, with its usual progressiveness and alertness to new ideas, has given the lead to all other American states in being the first to enact a comprehensive and complete city planning act, following very closely the Standard City Planning Enabling Act of the U. S. Department of Commerce, but departing from that statute necessarily in numerous particulars.

The new Act, with some very enlightening comments with regard to it, has been published in most attractive form. Copies can be obtained on application to Charles H. Cheney, Palos Verdes, California, for a small fee.

That interest in city planning is wide-spread in California was indicated at the Second Annual All California Regional Planning Conference, held in Oakland a year ago. This occasion was significant because of the fact that at this Conference all of the various interests that might conceivably have any relation to the subject were represented; the real estate interests, the architects, the League of California Municipalities, the landscape architects, and other groups, all meeting at the same time to discuss related problems.

That city planning and zoning have the active support of the realtors on the Pacific Coast was made evident on this occasion by the remarks made by Harry C. Culver, President of the Los Angeles Realty Board. Mr. Culver, who is one of the largest sub-dividers of Los Angeles, indicated that he is a staunch backer of city planning. He very aptly said on this occasion:

Everything we do, everything we eat, everything we wear is planned. Why not plan communities? Haphazard cities will not grow, nor will values increase therein. Bad subdivisions may blight a whole community and every new subdivision affects the status of adjacent territory. Hence the opportunity offered through subdivision control, for practical, constructive and beautiful planning is too obvious to disregard and is a topic of grave public concern.

## CLEVELAND AND ZONING

Among the great cities of the United States there are but three of any considerable size that have failed to avail themselves of the benefits of zoning laws. These three are Cleveland, Detroit and Philadelphia.

It would seem now as if Cleveland, after 8 years of struggle with this question, were really likely to achieve the end so long sought.

The City Plan Commission, with Edward M. Bassett as consultant, has submitted a proposed zoning ordinance, which it is hoped may be agreed upon by all of the various interests in Cleveland that heretofore have made the enactment of a zoning ordinance impossible. This proposed ordinance was presented to the City Council in January 1927 and is still pending before that body.

Recent reports from Cleveland seem to indicate that there is more likelihood of an agreement being reached at the present time than has been apparent at any time during the past 8 years. But prophecy is

never profitable and is often dangerous. The experience of past years may be repeated; and Cleveland once more may refuse to afford to its citizens the protection which citizens of other progressive and prosperous communities throughout the country now enjoy.

Hearings are still in progress. The hearings on the text of the ordinance have been completed and at the present time hearings on the zoning maps are going on. All of these are expected to be completed this month, when the ordinance will then be ready for council action.

Certain changes as the result of the criticism of citizens have been made in the text of the ordinance as proposed; the only substantial ones have been to change the number of industrial districts from 3 to 2, and to remove the height limit in the downtown section, the latter a regrettable concession to vested interests, but probably a concession that had to be made, if the ordinance is to be adopted. The change in the number of industrial districts is made as the result of recommendations, after careful study of the proposed ordinance, by the Cleveland Chamber of Commerce.

The Cleveland Chamber has always played a vitally important part in Cleveland's municipal and public affairs—and rightly so. It is to be hoped that their strong endorsement of the proposed zoning ordinance with these changes will carry the weight that it should carry with the political powers that be.

Summing up its recommendations with regard to the Zoning Ordinance the Cleveland Chamber of Commerce said:

The Chamber believes, also, that this ordinance, if adopted,

Will give, by law, to the citizen of average means, both in his home and in his business, some part of that protection the citizen of large means is able to secure by private restrictions;

Will save the small home. By giving residence streets protection from apartment houses, small stores, garages, laundries, they will keep their value, and home owning will be a paying and not a losing investment for the citizen of average means:

Will centralize local business in well defined local business centers. This will improve land and rental values in the business centers and at the same time keep the residence properties from depreciating.

Will both preserve and foster the industrial life of the city.

Will tend to prevent congestion of population, expedite local transportation, reduce the risk of fire (by exclusion of stores and factories from residence districts) and facilitate the enforcement of sanitary regulations.

Two interesting compilations in connection with the Zoning Ordinance have been issued by the City Plan Commission, one entitled "The What and Why of the Proposed Cleveland Zoning Ordinance" was issued by the City Plan Commission in June, 1927. In this document



the Commission sums up the fundamental principles of Zoning as laid down by Edward M. Bassett some years ago and shows how the proposed ordinance complies with these conditions. It then goes on to discuss the existing conditions in Cleveland under the following heads:

Extent of the City, Topography and Its Effect, Thorofares, Population, The New Americans, Home Ownership, Zoning and Crime, Home Building, Industrial Development, Business Development, Residence Zoning, Industrial Zoning, Building Heights, Downtown Buildings, and Congestion Problem.

It then takes up the arguments of the opponents to zoning in Cleveland and disposes of these one after another.

More recently the City Plan Commission has issued a document entitled "Reports Received on the Tentative Zoning Ordinance for Cleveland". In this they give a summary of the ordinance and what it proposes to do, stated in very clear and effective fashion. This is followed by the text of the proposed ordinance and then the rest of the document is given up to reports on the zoning ordinance by various interests in Cleveland, including such important interests as the Builders' Exchange, the Cleveland Chapter of the American Institute of Architects, the Cleveland Chamber of Commerce, the Cleveland Association of Building Owners and Managers, and the Cleveland Real Estate Board, which, judging from the number of changes which it has to suggest is still the chief opponent of zoning in that city.

Students of zoning will, we feel sure, find it profitable to obtain copies of these documents. They may be had upon application to the City Plan Commission, City Hall, Cleveland.

#### PUTTING NEW JERSEY ON THE ZONING MAP

A foreign student of American institutions would find a striking example of democracy in action in the case of the handling of the question of Zoning by the people of the state of New Jersey. There has probably not been in recent years a better illustration of the processes of orderly government than is afforded by what has happened in that state.

During the past 7 years over 75 of the municipalities of New Jersey enacted zoning laws under authority of a state enabling act which followed generally the provisions of the Department of Commerce Standard Act, adopted by so many other states. But, contrary to what happened in other states the New Jersey courts held that the fundamental principles of zoning were not within the police power of the state; and that the attempt to regulate the use of property, as exemplified in the famous Nutley case, was not an exercise of that

power in the interests of public health, safety and welfare, and such attempts were, therefore, void.

The result of these court decisions was to leave the people of New Jersey stripped of that protection in the enjoyment of their property that citizens of other states were afforded by exactly similar laws. Under these circumstances there was but one remedy in a democracy. That was to so amend the constitution—the fundamental law of the State itself—so as to make it clear beyond any question of doubt that these powers could be enjoyed by the People.

And that is what the people of New Jersey did. Led by the New Jersey State League of Municipalities, under the leadership of Walter Kidde, of Montclair, with the hearty and active cooperation of the New Jersey Association of Real Estate Boards, the New Jersey Federation of Labor, the New Jersey Federation of Women's Clubs, and the New Jersey State Chamber of Commerce, a state-wide popular campaign was waged through all of last summer with the people of New Jersey for an amendment to the Constitution which would permit zoning laws to be enacted, and when enacted would result in their being upheld by the courts of that state.

That this "appeal to the people" was successful was shown last fall. Five amendments to the Constitution were submitted to the people at the fall election. All of these were rejected except the one which permitted zoning laws to be enacted, and this was passed by the overwhelming majority of 237,037—that many more people voting in favor of zoning, as compared with those voting against it. In other words, the vote was approximately 3.4 votes in favor of zoning to 1 vote against it.

That the people of the state must have been very greatly aroused on this subject, is evidenced by the fact that in the past 52 years the people of New Jersey have voted for only 2 Constitutional amendments in all that time. Four other Constitutional amendments submitted at the same time with the Zoning amendment were overwhelmingly voted down. One deliciously ironical detail of the vote is found in the fact that the city of Nutley voted in the ratio of 6 to 1 in support of the zoning amendment. It was in Nutley, a residential town, that the whole trouble started; for, it was in a Nutley case that the highest court set aside the existing zoning law and declared it to be unconstitutional and void. That the people of Nutley desired zoning notwithstanding this fact was made evident by this vote. Only two counties in the state, both of which were remote and exceedingly rural, voted against the amendment, producing a negative majority between them of 1900 votes.



Following this triumphant verdict of the people at the polls, the promoters of zoning in New Jersey did not rest on their oars, but at once set themselves to work under the leadership of Sedley H. Phinney, the Executive Secretary of the New Jersey State League of Municipalities, to place before the people of the state some of the fundamental questions involved in the legislation which would naturally follow the adoption of the constitutional amendment.

The chief question involved in this discussion turned on that storm center of public discussion and interest—the powers of Boards of Adjustment or Appeals. New Jersey had had some experience with such boards and there was a great deal of hostile sentiment with regard to giving them unlimited powers.

Many suggestions were made and considered in the state-wide campaign of public discussion that followed. Some of these were quite ingenious. One proposal was for a single state Board of Appeals, sitting at the state capital and hearing appeals that might be brought to it from local enforcing officials throughout the state.

Another proposal was for the establishment of such a State Board of Zoning Appeals in addition to local boards in each community, the State Board acting as a sort of court of last resort or final appeal from the decision of the local board.

The final legislation which emerged from the legislative session that recently came to a close, in the form of a new Zoning Enabling Act—Chapter 274, Laws of 1928, effective April 3rd—followed pretty closely the lines of the Department of Commerce Standard Zoning Enabling Act, but departed in several respects from that statute. One of the respects in which it made history was in its provisions for Boards of Appeals.

Neither of the suggestions that had been so much discussed in the popular campaign prior to the meeting of the legislature for a State Board of Adjustment was adopted. Instead, the new New Jersey Act follows the precedent of other states and provides for local boards of adjustment appointed by the local governing bodies. These boards are to consist of 5 members each, who may not hold any elective office or other position under the municipality and are removable for cause by the appointing body, but only upon written charges and after a public hearing.

The interesting feature of this legislation is found in a provision which definitely limits the powers of such a Board of Adjustment to the hearing and decision of special exceptions to the terms of the zoning ordinance. But the Board is given no power to grant such exceptions, or to permit a use in a district restricted against that kind of building



or use, unless the land in respect to which the exception is made, abuts a neighboring district in which such a building or use is authorized by the zoning ordinance. Even in that case, it is not permitted to grant such exceptions to property which is more than 150 feet beyond the boundary lines of the district in which that kind of use or building is permitted by the zoning ordinance itself.

In other words, the power of the Board of Adjustment to permit uses and forms of construction that are contrary to the zoning ordinance is limited only to what may be termed border-line cases.

Where other cases arise that do not come within the limits thus prescribed, the Board of Adjustment is empowered to recommend to the governing board of the community that the use or form of construction desired be permitted in a district restricted against such use or form of construction. In other words, where the cases are not border-line cases within the strict terms as laid down in this statute, an orderly method of procedure is adopted, by which in the first instance the Board of Adjustment can recommend a special exception to the governing authorities; thus responsibility is squarely placed upon the governing body which adopted the zoning ordinance for permitting such a grant to be made.

On the whole, we think this is a very distinct gain and a very proper limitation of the powers of Boards of Adjustment. It will be very interesting to see how this plan works out in practice.

Another interesting feature of the new act is that it was made retroactive, in the sense that all existing zoning ordinances are legalized. Section 7 of the new Act provides that where such an ordinance had been adopted prior to the adoption of the new Act, it is to continue in effect just as if it had been adopted under the provisions of the new act; and that such prior ordinance shall continue to remain in force and effect until repealed or amended by the local governing board.

This provision follows very closely the evident desire of the real estate interests in New Jersey, who, shortly after the adoption of the constitutional amendment, sent a letter to all of the member boards of their state body, advising all realtors in the state to insert in their contracts of sale a paragraph stating that the conveyance was made subject to zoning regulations, wherever such regulations have been adopted by the communities involved. In doing this it was thought that the buyers or sellers would thus be protected in any court action on the claim that zoning restrictions existing had not been disclosed.

That the courts are likely to sustain not only the new constitutional amendment, but the new Enabling Act as well—and even this retroactive feature of it—was evidenced by a decision handed down by the Supreme Court of New Jersey in a case involving the erection of an



apartment house in South Orange. In this case the Building Inspector had refused a permit for an apartment house in a district where apartment houses were forbidden under the local zoning ordinance and the property owner had at once taken the case to the courts.

This case arose after the adoption of the zoning amendment to the constitution by the people in September, but before the enactment of the new state enabling act in April which gave that amendment effect. Notwithstanding this the Supreme Court took cognizance of both the amendment and the act and sustained the retroactive provision of the enabling act which provides that it shall apply to cases arising before, as well as after, its passage.

In sustaining the South Orange case the New Jersey Supreme Court was apparently much influenced by the decision of the United States Supreme Court in the Euclid Village case.

At the same time, the court indicated that all pending zoning cases would be disposed of speedily and that in other cases involving similar points a similar policy would be followed. Where local ordinances conform to the new state law they will be upheld, whether passed before or since its enactment.

It is not disclosed whether this South Orange case will be appealed to the Court of Errors and Appeals, the State's highest court, but it is to be greatly hoped that it will; for, it is highly desirable that this whole question should be clarified by a decision of the court of last resort at the earliest possible moment.

Since the middle of May, 51 zoning decisions have been rendered by the Supreme Court. The majority are favorable to zoning. Study of them reveals that the court supports the following propositions: That zoning ordinances are within the police power of the State; that zoning ordinances adopted prior to the 1928 zoning act remain in force; that mandamus will not be granted to permit the erection of a building declared by a Board of Adjustment to be contrary to public safety; that applicants for certiorari or mandamus must apply first to the Board of Adjustment; that a City Commission has not the judicial powers a Board of Adjustment has; that the findings of a Board of Adjustment will not be disturbed in the absence of proof of unreasonableness; that a gasoline station is a garage; that aesthetic requirements are unreasonable.

Having in previous issues extended our sympathy to the people of New Jersey at the plight in which they then found themselves, in being deprived of those protections for their property and for themselves which were afforded to the people of other states, we now congratulate the people of New Jersey upon their state's having been put upon the Zoning map.